

QUID NOVI

Journal des étudiant-e-s
en droit de l'université McGill

McGill Law's
Weekly Student Newspaper

Volume 34, n°18
9 avril 2013 | April 9th 2013



QUID NOVI

QUID NOVI

3661 Peel Street
Montréal, Québec H2A 1X1

<http://quid.mcgill.ca/>

EDITORS IN CHIEF

Jérémy Boulanger-Bonnely
Aaron Fergie

LAYOUT EDITORS

Xiaocai Fu
Kai Shan He
Gabriel Rochette

ASSOCIATE REVIEWERS

Katherine Abarca
Eliza Cohen
Kai Shan He
Charlotte-Anne Malischewski
Audrey Mayrand
Lana McCrea
Angèle Périllat-Amédée
Dan Snyder
Anne-Sophie Villeneuve
Susanne Wladysiuk

STAFF WRITERS

Ludovic Bourdages
David Groves
Michael Shortt
Warwick Walton
Derek Zeisman

*Journal des étudiant-e-s
en droit de l'université McGill*

McGill Law's Weekly Student Newspaper

Volume 34, n°18

9 avril 2013 | April 9th 2013

WHAT'S INSIDE? QUEL EST LE CONTENU?

ÉDITO	3
SOMETHING IS ROTTEN IN THE STATE OF TRANSYSTEMIA	4
LAS VEGAS	5
CRIME AND (NO) PUNISHMENT: OUR GAPING ETHICAL ABYSS	6
CHRISTIE BIKE RIDE : CALL FOR VOLUNTEERS	8
NEW CONTOURS PUBLICATION	8
CARBON OFFSETTING INITIATIVE	10
WHAT SHOULD THE FUTURE OF RESERVE LANDS BE?	11
ARE YOU GRADUATING THIS TERM?	11
EXAMINATION INFORMATION	12
COLLOQUE FRANCOPHONE DE LA REVUE DE DROIT DE MCGILL	14
I AM THE SEXIST NEIGHBOR	18
THE BALLAD OF NEW CHANCELLOR DAY HALL	19
PRESIDENT'S REPORT, OR WHAT WE DID WITH YOUR \$56.76	20
VP PUBLIC RELATIONS EXIT REPORT	21
VP ADMINISTRATION EXIT REPORT	22
VP ACADEMIC EXIT REPORT	22
VP INTERNAL EXIT REPORT	23
VP INTERNAL EXIT REPORT	24
VP EXTERNAL EXIT REPORT	25
VP CLUBS EXIT REPORT	25
THE MJLH'S 5TH ANNUAL COLLOQUIUM	26
LAW GAMES 2013 REPORT	26
HOCKEY ARBITRATION COMPETITION OF CANADA	28
FACULTY COUNCIL END OF THE YEAR REPORT	29
AD HOC COMMITTEE ON CURRICULAR REFORM REPORT	30
CDO ADVISORY BOARD REPORT	30
LAW SENATOR EXIT REPORT	31
ONE LAST NOTE FROM YOUR 1L PRESIDENTS	32
2L PRESIDENTS REPORT	32
A MESSAGE FROM YOUR 3L PRESIDENTS	33
GRADUATION MESSAGES !	34

WANT TO TALK? TU VEUX T'EXPRIMER?

Envoyez vos commentaires ou articles avant
jeudi 17h à l'adresse : quid.law@mcgill.ca

Toute contribution doit indiquer le nom de
l'auteur, son année d'étude ainsi qu'un titre
pour l'article. L'article ne sera publié qu'à la
discretion du comité de rédaction, qui

basera sa décision sur la politique de
rédaction.

Contributions should preferably be submitted as
a .doc attachment (and not, for instance, a
".docx").

JÉRÉMY
BOULANGER-
BONNELLY

DÉJÀ LA FIN ?

Le mois d'avril est chargé pour nous, étudiants, non pas de fleurs, bourgeons et autres plaisirs de la vie — bon, ok, un peu quand même! — mais surtout d'études, de résumés Pubdocs et de joyeux examens. Mais ne vous inquiétez pas mes amis, dans trois semaines à peine vous vous réveillerez à Shanghai, Madrid ou Montréal et vous vous direz à quel point cette année, qu'elle soit votre première, deuxième, troisième ou même quatrième, a passé vite.

Pour l'équipe du Quid, l'arrivée du printemps signifie aussi que nous en sommes déjà à notre dernière publication de l'année. Mais n'ayez crainte, nous reviendrons en septembre ! C'est simplement que nous devons nous aussi donner un peu d'amour à nos examens. ;)

Quand je survole à nouveau les dix-huit numéros qui composent le présent volume de notre journal, je me dis que notre faculté fourmille d'un dynamisme incroyable. Si vous saviez les fois où j'ai dû rétrécir la taille de la police de la table des matières, juste à côté, pour réussir à y entrer tous les articles, vous constateriez que nos pages ont souvent été bien remplies.

C'est d'ailleurs le cas encore une fois, avec les traditionnels rapports de fin d'année que les règlements de l'AÉD exigent de la part de nos divers représentants. Même si je sais que vos livres vous paraissent sûrement plus attirants à ce moment-ci de l'année, vous vous réserverez quelques minutes pour au moins les survoler. Vous y constaterez à quel point le dévouement des étudiants de la faculté est présent et indispensable !

Quand à nous, co-éditeurs en chef, nous tenons à remercier chaleureusement notre équipe qui, bien que travaillant dans l'ombre à toutes les semaines, mérite d'être applaudie. Leurs noms se trouvent à la gauche de la table des matières de chaque édition, alors pour une fois, je vous encourage à bien les lire et à donner une petite tape dans le dos à ceux que vous croiserez. Sans eux, le Quid n'existerait tout simplement pas.

Avant de vous laisser pour un été probablement chargé — en travail tout comme en martinis, bikinis et autres -is — j'espère tout simplement que la maxime bien connue "Pay your fees, get your B's" vous permettra, à défaut de représenter totalement la réalité, de remettre en perspective cette fin de session et de vous laisser couler doucement dans les chauds jours d'été.

AARON
FERGIE

ONE L FAREWELL: A RETROSPECT

Dear reader,

While it is a little bit premature, since this is the last issue of the Quid for the Winter 2013 semester I thought it meet to compose a small appraisal of the semester from a one L perspective.

What comes to mind immediately is just how much I feel I've learnt throughout the semester. Much more, in fact, than I had imagined...

I entered law school with what I now recognize as the pretension that in short order I would become a living encyclopedia of the law. So much for that arrogance! Of course, I thought that my aspirations were humble as I walked through the door, but now I recognize just how much the law really is a lifelong pursuit. This confirms for me a saying that was once told to me in Spanish. I can't remember how it went. But the meaning was: the one who goes slowly goes far.


A number of other important lessons jump to mind. For instance, how critical balance is, because if one pillar is weak, the whole structure collapses (e.g., sleep). For another, how to live in the present; not because reflection upon the past or future are worthless, but because when we live well in the present, we will have good thoughts about the past (which will boost us, rather than bring us down) and be well-placed for the future. Accordingly, thoughts about past and future should go no further than necessary to make the moment great.

The upshot is I've learnt much less about the law than I thought I would, in terms of volume of knowledge, but much more than I imagined about how to live healthily. This sort of education I would not lightly trade for any quantity of legal knowledge, and so I am well satisfied.

Take care, be well, and see you next September!

-A

P.S. As for thank you's, I can only say that there are too many particular persons to whom I am indebted for insight and other forms of support to cover in such a short editorial. However, without saying anything less about those whom I haven't mentioned: thank you Jérémy and the Quid Team for a great experience: I am ever impressed by your diligence and efficiency; thank you Profs. and other students: your guidance and example have pushed me to achieve greater heights; thank you Shinae for your love.



**GARRETT
ZEHR**

SOMETHING IS ROTTEN IN THE STATE OF TRANSYSTEMIA

The Barreau du Québec's recent approval of the 2013 National Mobility Agreement allowing "full and permanent" mobility for Canadian lawyers between civil and common law jurisdictions was a surprise, at least for this casual observer of legal regulation in Canada.

What it means is that if all goes as planned (and the remaining approvals seem to be largely rubberstamps), common law lawyers from the Rest of Canada would be able to move to Quebec without passing competency exams or even having a civil law degree. The same is true in the opposite direction for civilians wanting to practice outside of Quebec.

Ontario and Saskatchewan have already signed the agreement and the Barreau estimates it should be in force in 12 to 18 months.

So why such a drastic change of heart from the law societies, which have long insisted on formal training and competency exams before allowing one to cross the Quebec/ROC border?

"Les différences entre les juridictions de droit civil et de common law ne justifiaient plus l'existence de barrières entre les juridictions. La société de droit envoie un message fort et souhaite une mobilité totale entre les provinces" dit le bâtonnier du Québec, Me Nicolas Plourde.

He also said the differences between common and civil law jurisdictions are "more apparent than real."

Perhaps this comes as a shock to you dear McGill Law student. Does it throw your months or years of transsystemic study of the law into question? After all, when we talk "transsystemically" at McGill it is really Quebec and the Rest of Canada (ok Ontario) that we seem to mean, with the occasional nod to our neighbours to the south or the colonial powers across the pond. So to hear this conclusion coming from the

law societies surely puts into crisis the identity on which much of McGill's current program is based.

We spend an enormous amount of time in our classes thinking about the common and civil law traditions - their differences, similarities and how they interact. Each of the 1L private-law courses dedicate most of the first month to discussing the histories and evolutions of the traditions and then spend the rest of the year diving into their intricacies. Foundations and Legal Meth also give space to the subject. Second-year students are in for another full dose in the Advanced Obligations courses. Some of the material is new but a lot of it feels quite repetitive.

Perhaps like me, you were sure to use the word transsystemic in your law school entrance personal statement and to mention how great it would be to study the law in this manner (though I also guess many of us didn't really know what that meant). Over the past two years I have been wondering more and more about the value of this study, considering that the differences between the two traditions really do not seem to be all that significant and where they do exist, I question how relevant they really are to our study of the law.

But for me, the even bigger concern is that resources are finite and spending so much time thinking "transsystemically" means we aren't thinking about other things or thinking about the law in different ways. I see these limited resources playing out in a few different areas related to the curriculum.

First, course time is precious. Professors must carefully choose what to put into their courses and what to leave out. By giving so much attention to looking at the law transsystemically, much is sacrificed. Many students, and some professors, agree that courses generally fail to give

serious attention to the social and political context of the law and make only token, if any, mention of issues such as race, gender and class, and how the law often continues to perpetuate an unjust society.

A second finite resource is course credits that make up our degrees. With the changes announced last year, over half of degree requirements are now required courses and that doesn't include the baskets. I know that there are more than a few courses that I want to take and that would be very useful for my career but I will be unable to simply because my valuable credits have been already used up.

A third and related issue is faculty resources. We have been told on a number of occasions that the Faculty lacks the financial and human resources to offer a broader range of courses.

One solution? Scrap the Advanced Obligations courses as mandatory requirements. I have met very few students who are convinced of the worth of the classes and have heard hearsay of various profs who are less than excited about having to teach them. Removing the mandatory requirement and offering just one section for anyone who may find the advanced study of obligations useful to them, would free up professors to teach four different courses.

This could persuade the Faculty to finally allow a professor to teach a course in Critical Race Theory and to offer core Aboriginal law courses every year. If we actually believe that law school can be a relevant and a positive force in society, then these courses need to take priority in our curriculum.

At the same time, I am not suggesting we need to completely abandon all things transsystemic, but it certainly needs to be broadened if it is going to remain rele-

vant. Would it not be far more interesting to look at more diverse common or civil law jurisdictions (have you ever read a case from India, Brazil, Haiti or South Africa)? And why not talk about “non-Western” legal traditions outside the one class in Foundations where they are introduced. Most importantly we need to recognize that in our own jurisdiction there

is more than just civil and common law traditions and we must give significant space to Aboriginal legal traditions.

The Faculty is currently going through its periodic review of the curriculum (the last time around was when we inherited the transsystemic method). I have heard that significant changes to the curriculum content are not likely to be considered

and I really hope this decision is revisited. I also ask the discussion be opened up beyond the Curriculum Reform Committee to include all members of the McGill Law community. It would be a great opportunity for us to engage in a real discussion about who we are, the role of the law school, and what interests we want our Faculty to serve.

Law III

CHRIS
DURRANT

I’ve always considered myself an up-for-anything

kind of person. Having a somewhat shy disposition, I learned early on that to stop from missing out on things, I would have to buck my instincts, and try to embrace things that came my way, even if part of me shied away. So when a friend invited me to Las Vegas, I said I was game. I also figured there was probably more to Las Vegas than meets the eye. I was wrong, there is actually less.

It isn’t that I didn’t have fun in Las Vegas, I certainly did. I drank, I gambled, I went to a nightclub. I thought there would be something more though. Perhaps you think I’m a bit of a dolt for expecting Las Vegas to not be superficial, but I was still surprised. The only thing reasonably cultural that was within reach was an Andy Warhol exhibit in one of the casinos; a choice of venue I think Andy would have approved of with a knowing smile. The rest of Las Vegas however, appears to have zero sense of irony. There is no ‘wink’ anywhere that says “we all know this is stupid fun.” I sincerely think Las Vegas believes it is the pinnacle of entertainment. Things like comedy magic shows and fake European landmarks could be seen as I ironic, but I don’t think they are taken that way. Certainly, the legitimately ironic doesn’t seem to be doing that well; the Liberace Museum closed down in 2010.

Las Vegas doesn’t seem all that interested

in celebrating itself either. If you start your trip on the Las Vegas Strip (the area with all the gigantic hotel casinos) it is very easy to stay there the entire time. The Las Vegas downtown (which has “classic” Law Vegas things like Caesar’s Palace and the giant neon lights, including the giant cowboy) is unreachable by public transportation, and nothing in the Strip encourages you to hop in a cab. Once you get there, the area looks low-rent and generally forgotten. This is a breath of fresh air actually, compared to gargantuan mall feeling the Strip gives off, but the lack of reverence Las Vegas appears to have for former glories is palpable.

If Las Vegas is devoid of any positive virtues, one of my final stops took the next logical step and represented the inversion of values. Located in the downtown, the Heart Attack Grill revels in its unhealthy fare. Its four-patty burger holds the world record for most caloric burger, though there is hardly a limit to the amount of patties you can demand. (While at the restaurant I watched a Japanese tourist gamely eat the eight-patty version.) Large cans of Pabst are the standard drink, and while you can’t smoke inside because of the “damn government,” cartons of cigarettes are available in vending machines. Probably the most striking feature of the restaurant however, is that people who weight more than 350 pounds eat free. This means that in the middle of the restaurant is a large scale where the restaurants larger patrons step onto, and receive restaurant-wide applause if they meet the

350-pound mark. My first reaction to this was a desire to cry; it seemed like we were applauding the decisions that will lead to these men’s untimely deaths. Later I considered for a second what an oasis the restaurant must be: the constant shame and judgment that comes with being wildly overweight is turned on its head, and is instead celebrated and rewarded. As much as I can sympathize, my idea about the restaurant changed again when I got the bill. The sales tax line on the bill was listed as Obama’s cut. Now certainly this isn’t surprising disparaging reference to the government at the restaurant, but suddenly it clicked. The restaurant and Las Vegas itself are about the complete abrogation of personal responsibility to yourself and others. It’s about not having to conform to a morality, or watch your health, or even pretend to be interested in something historical while you’re on vacation. “Sin City” is a dated idea. Instead, its should be known as “No Virtues Vegas.”

I write all this, because Las Vegas strikes me as wrong. There is nothing wrong with a hand of blackjack, or even a boozy night out on the town, but the construction of a doubtless billion-dollar city that might not count as an improvement on the desert should give us pause. Maybe society and myself should be a little less up for anything. I’m not sure how we go about encouraging this without provoking a hundred Heart Attack Grills through our efforts, but it’s a point to ponder.

LAS VEGAS

**DEREK
ZEISMAN**

Law II

BOB LOBLAW'S LAW BLOG

CRIME AND (NO) PUNISHMENT: OUR GAPING ETHICAL ABYSS

My colleague, esteemed jurist and Deep Political Thinker™ Bob Loblaw, has asked me to devote my final column of the year to a discussion of ethics. And so I shall.

You see, Mr. Loblaw is irate over having been surreptitiously “Facebook bombed” by hordes of prospective (and decidedly prolific) LSA office seekers over the past two weeks.

Of course, the mess was entirely of his own making – I warned him months ago not to abandon his trusty MySpace account for the unwieldy behemoth that is Faceslap. But Bob was not to be denied. He now has 793 unread messages in his inbox, and 4285 outstanding FB notifications.

Still, as I pointed out to Bob, electronic campaigning was clearly authorized by the LSA in time for this year’s elections. As such, it’s quite unfair to accuse our budding politicians of unethical behaviour.

They were simply doing what they were permitted to do, and I salute them for it – even if their devotion to their cause briefly transformed social media from a communication “tool” to a communication “blunt instrument.” (I’m here till Thursday, ladies and gentlemen. Try the veal.)

But je digress. To the best of my knowledge, nobody ever got rich from sitting on the LSA executive. Our faculty’s candidates for high office are honourable, hard-working and volunteerism-oriented souls with the best of intentions.

It was a pleasure to have so many fine choices when I voted. If anything, the only shame is that I wasn’t able to vote for more of the fine people who put their names and platforms forward. It is a sad fact of life that so many talented folks walk away empty-handed, once the ballots have been tallied. But do not despair, all ye of dashed hopes – far greater successes await you in life!

(On a myopic note, I recall that I was recently one such candidate. On election night, I was left doing my best “I couldah been a contendah!” Marlon Brando impression. But no matter – I congratulate my victorious colleague, Guillaume Blais, who I know will do a fine job in representing Law students before the McGill Senate.)

I only wish I could be as positive in my assessment of what we call “professional politicians.” Here in Canada, our federal, provincial and municipal politics are a mess, awash in allegations of bribes, kickbacks, vote tampering, and other unsavoury forms of public corruption.

I need not repeat in detail what we all already know. But a brief

scan of the political horizon is in order. Federally, we have the Robocalls scandal, illegal campaign overspending, illegal campaign contributions, a growing list of Senator and MP spending irregularities, and now a new story of a Senator allegedly hiding her money in offshore accounts.

Provincially, we have the Charbonneau Commission, knee-deep in ethical excrement, and likely to drown in it before its work wraps up in 2-200 years’ time. All provincial parties have been implicated to a certain extent in the receipt of illegal corporate campaign contributions, but it is now reported that the biggest beneficiary of this bogus booty – to the tune of \$8 million over the past decade, and possibly far more – has been the Québec Liberal Party.

Municipally, the Montréal area has lost two mayors over the past year, while municipal staff have been dropping by flies – the recipients of more bribes and “pots-de-vin” than Al Capone could shake diamond-encrusted stick at.

What the heck is going on here? And what is to be done about it? Like me, does all this dirt leave you angry, dispirited, scratching your heads in collective puzzlement?

Believe me, as Bubba Clinton used to say, “I feel your pain.” But I don’t think this stinking ethical fiasco is confined merely to our political class. No, not by a longshot.

I think we have to ask if there is really such a wide gap between these unsavoury practices, and those that average Canadians see every time they (i.e.) hire a contractor for cash at a tax-free “discount,” with a wink and a nod.

Look at our current crop of politicians: rubbing elbows with high-level members of organized crime, disgraced public servants, and shady CEOs; hemorrhaging millions to build gazebos, fake lakes and security perimeters in Muskoka while slashing social spending.

Faced with derelict behaviour from the leaders who are ostensibly our society’s role models, why should average Canadians not hire discounted contractors under the table – law and morality be damned? Why should they be blamed for “looking the other way” and, in so doing, benefiting from cheaper but illegal services?

Indeed, when the big guys rip off the system for millions – or, increasingly, billions – why expect the little guy to play by the rules at all?

This is really the central question, and it is a disturbing one – one



When will Mr. Smith finally come to Ottawa? To Québec City? To Montréal City Hall?

that goes far beyond narrow issues of political ethics. In fact, it strikes at the very heart of what it means to be a member of, and participant in, a just and moral society.

Just as millions – and not only Americans – were made cynical and suspicious of politics in the wake of Watergate, so I fear we are now seeing a deeper rot set into our society and its key institutions – political, religious, economic, police and, yes, legal.

Look at the conduct of the Toronto Police and RCMP at the G20 Summit. Look at the often questionable conduct of the Montréal Police, especially during the recent student protests. Look at the disturbing number of cases of lying, criminal assault and even death that have been emerging with greater frequency from our police forces, nationwide.

Look at our once-sacrosanct religious institutions and the abuses for which they have increasingly become known, and mocked. Look at our once-admired “captains of industry” in large corporations across the land, who have been laid low by allegations of bribery, corruption and environmental abuse, both domestic and worldwide.

As for our legal system, it seems less up to the tasks demanded of it than ever. It is ever more expensive to access, ever more closed off to the poor and disadvantaged, ever slower in deliv-

ring its verdicts, and increasingly obsessed with maintaining an untenable status quo. (Courts and police can’t stamp out the fire? Charbonneau Commission to the rescue!)

It’s not a pretty picture. In fact, it’s ugly all around.

The end result of all this, I would argue, has been the degradation of public trust in, and respect for, our society’s central institutions, a loss of moral legitimacy on the part of our authorities (political, legal, police, military, religious, etc) and a general loss of integrity and accountability at the levels where it ought to matter most.

My friends, one day most of you will have children of your own. If/when you do, teach them to do the right thing, consequences or lost opportunities be damned.

But at the same time, make it painfully clear to your kids that others are unlikely to do the same. Thus, they will need to vigilantly guard against those – governments, police, churches, companies and all the rest – who pose real threats to their well-being. Because, judging from prevailing trends, the wheels are falling off our society’s once rock-solid “social contract.”

And on that exceedingly happy note, Bob Loblaw and I wish you all *bon succès* with your exams, and the very best of summers. Keep the faith!

CHRISTIE BIKE RIDE CALL FOR VOLUNTEERS

Interested in helping to organize next year's Christie Bike Ride?

Join us at our first meeting Tuesday, April 16th at 12:30 in the Upper Atrium

**** No biking experience necessary!! All are welcome!!****

The Christie bike ride was founded at McGill Law in 2009. This fourth bike ride, slowly becoming a tradition at McGill, will honour Dugald Christie, a Vancouver lawyer who offered legal services to low-income people and set up several pro-bono clinics across western Canada. He charged extremely low fees and challenged the courts on legal aid regulations that impai-

red the ability of poor people to have access to legal representation. In 2006 Christie began biking across Canada to raise awareness about the inadequacies of legal assistance programs in Canada. Tragically, four months into his campaign, he was struck and killed by a van.

So, we are doing this because most of us come into law school because we want to fight for and support justice, not just as some abstract concept that we see in the movies – but we want to be a part of the movement that tries to remove obstacles to accessing justice that people face every day. We believe that Dugald Christie died in this pursuit – he could have easily made hundreds of thousands of dollars as a cor-

porate lawyer but he believed that it was crucial that poor people, disadvantaged people and people that were unaware of their rights also had an opportunity for a just solution to their problems. We want first year students to know his story as soon as they walk through the Law Faculty's door. We want the lens through which they read their cases and learn the law to be one that focuses on the importance of people having access to laws which are created to better society for all.

For more info see:

<http://christieride.wordpress.com/w5/>
Questions? contact us at: christiebikeride@gmail.com

Law I

ERIN
MOORES

NEW CONTOURS PUBLICATION ON WOMEN AND THE LAW WAS A COMMUNITY EFFORT

La publication *Contours*, qui vise à donner une espace aux femmes en droit à McGill pour partager leurs histoires, leur voix, et leurs idées, a été conçue en automne 2012 par Charlotte-Anne Malischewski, une étudiante en première année dans notre faculté. Une fois l'idée proposée et le financement du fond discrétionnaire du doyen confirmé, une inspirante équipe de femmes motivées, la majorité d'entre elles en première année, a travaillé tout au long de l'année scolaire - en cherchant des contributrices, en écrivant, en faisant des entrevues, en faisant la rédaction, en planifiant le lancement - afin de réaliser cet important projet qui a été lancé le 5 avril 2013 à la faculté.

We thank the Dean's Discretionary Fund for providing the financial means to make this project possible. *Contours* is a student-driven publication that will be an annual project at the McGill Faculty of Law. We know from the variety and quality of the submissions we received that the women of our faculty have much to say, and now, with *Contours*, we have a formal venue in which we can say it.

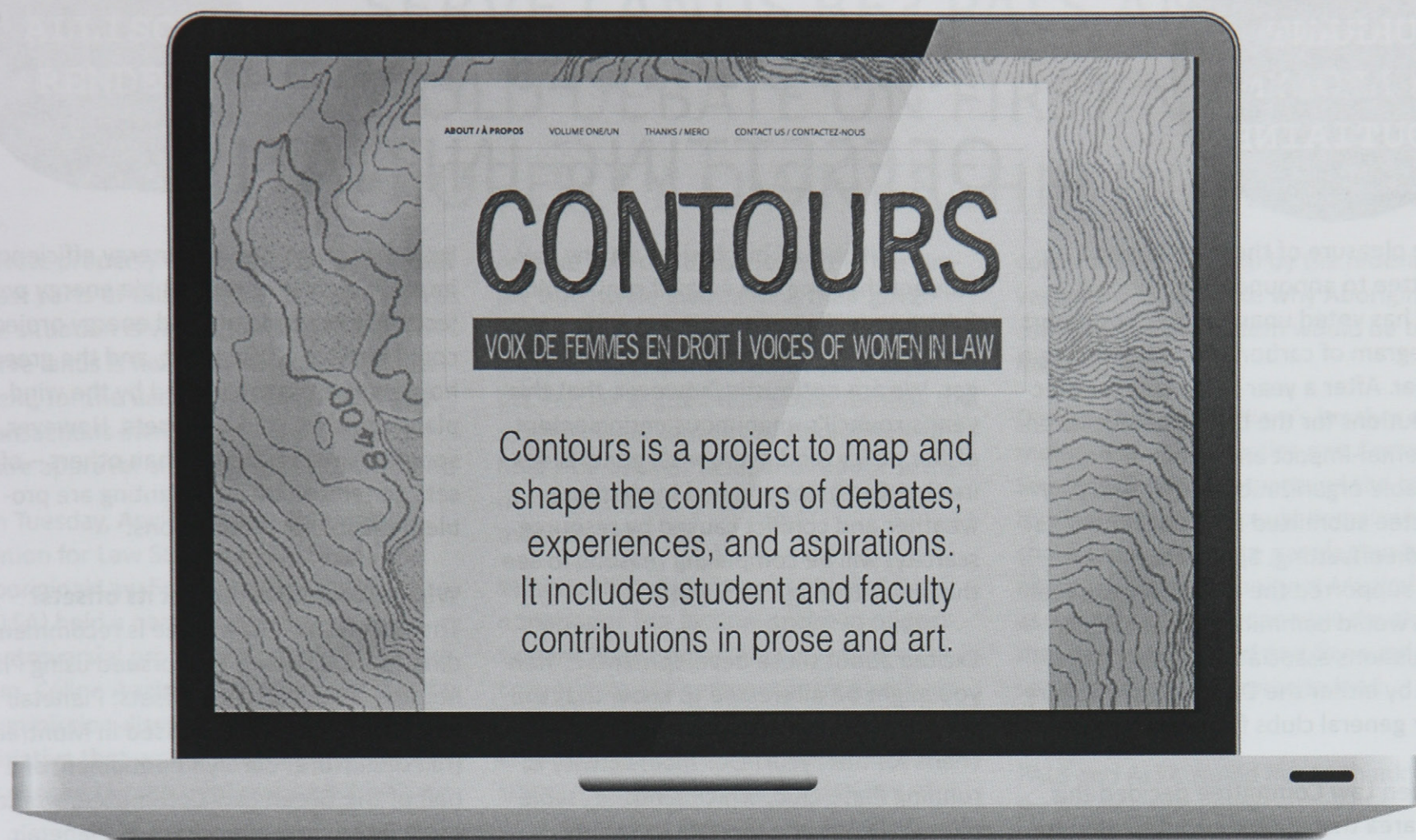
We thank all the wonderful women students and faculty mem-

bers who enthusiastically, and with no hesitation, said "Yes!" when this project was proposed, and who continued to believe in it and support it throughout the year. It takes a community to make things happen; it takes a team for an idea to become reality. This is also what *Contours* reminded us: that we have to keep supporting each other, we have to keep saying Yes to our and our colleagues' ideas.

Équipe d'auteurs et de bénévoles de *Contours* 2013:

Lillian Boctor, Stephanie Clark, Arielle Corobow, Linda El Halabi, Mireille Fournier, Humera Jabir, Suzanne Jackson, Talia Joundi, Becky Katzman, Helena Lamed, Charlotte-Anne Malischewski, Kirsten Mikadze, Erin Moores, Sarah Munsch, Golnaz Nayerahmadi, Aishah Nofal, Margery Pazdor, Abigail Radis, Nour Rashid, Allison Render, Laurence Ricard, Annie O'Dell, Shauna Van Praagh, Amanda Wright

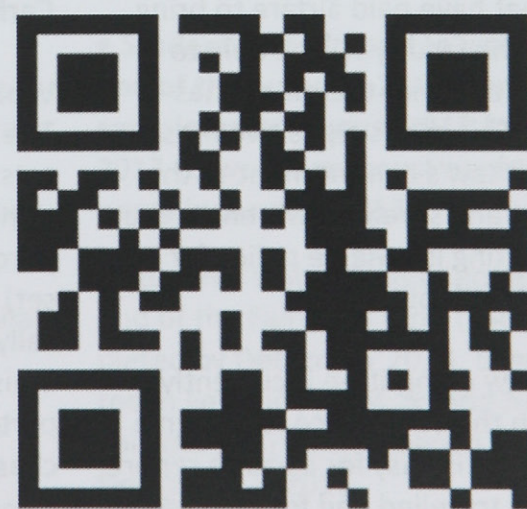
Nous vous invitons de lire notre premier numéro, sur les Femmes et le Droit, sur notre site web, www.contours-mcgill.com. Nous vous encourageons de nous envoyer vos commentaires et vos suggestions. We will see you next year.



contours-mcgill.com

The first edition is now online!

Un grand merci aux auteures et éditrices qui ont contribué à cette publication ainsi qu'à celles qui ont accepté d'être interviewées ou qui nous ont autrement aidé pour que ce projet soit possible. Cette publication a été rendue possible grâce aux fonds discrétionnaire du doyen de la Faculté de droit de McGill.



**CHRIS
DURRANT &
CAROLYN
POUTIAINEN**

GREEN LAW COMMITTEE ANNOUNCES CARBON OFFSETTING INITIATIVE

It is the pleasure of the LSA's Green Law committee to announce that the LSA council has voted unanimously in support of a program of carbon offsetting to begin next year. After a year of looking for practical solutions for the LSA to reduce its environmental-impact and become a more sustainable organization, the Green Law committee submitted to council the idea of carbon offsetting. Specifically, the council supported the idea that next year the LSA would commit to offset the carbon emissions associated with air travel funded by either the Dean's Discretionary Fund or general clubs funding.

The Green Law Committee decided this was an area that should be addressed for two reasons. The first is that aircraft emissions contribute disproportionately to climate change, because, among other reasons, they insert greenhouse gases at high altitudes in the atmosphere where they have a more harmful impact.[1] Secondly, the project is doable. It requires no infrastructure and is within our financial means. To offset a roundtrip flight from Montreal to Vancouver costs about \$20.

In addition to the positive effect on the environment, a secondary benefit is that LSA clubs that have paid airfare to bring speakers to the faculty will be able to inform their guests that their flight has been offset. This sends a positive message about McGill Law's commitment to the environment and spreads awareness that carbon offsetting is a viable policy for organizations to adopt.

The Green Law committee is currently working with the VP Finance to design a system where it is easy for clubs to report the distances travelled and for the LSA to calculate the offsets to be purchased,

It should not be lost on any law student that one LSA council cannot bind future councils and that next year's executive will be the ones making up the budget. We are optimistic, however, that this year's council's unanimous endorsement of the policy (and everyone's general desire that Earth not plagued by extreme weather and conflict caused by resource scarcity) will be compelling reasons to see the policy through to fruition.

Excited about these developments? Then you might be interested to know that the Green Law Committee is recruiting 1-2 co-chairs for next year! Our main activity is running Plate Club, which lends reusable plates, glasses and utensils to faculty events to reduce waste. We will also be implementing the LSA offsetting policy next year, and we are interested in pursuing other emissions reduction initiatives. Time commitment is minimal (>2 hours/week) and flexible. Holler if this interests you!

Carolyn.poutiainen@mail.mcgill.ca

[1]
<http://www.davidsuzuki.org/issues/climate-change/science/climate-change-basics/air-travel-and-climate-change/>

Carbon offsetting FAQs

What are carbon offsets?

The David Suzuki Foundation defines offsets as "a credit for greenhouse gas reductions achieved by one party that can be purchased and used to compensate (offset) the emissions of another party." Basically, a reduction in greenhouse gas emissions occurs somewhere by one party, and credit for that reduction is purchased somewhere else by another party.

How do carbon offsets work?

Offsets can be generated in many ways,


including tree planting, energy efficiency improvements, or renewable energy projects. For example, a wind energy project could replace a coal plant, and the greenhouse gas emissions saved by the wind plant could be sold as offsets. However, some offsets are better than others – offsets generated by tree planting are problematic for various reasons.

Where would the LSA get its offsets?

The Green Law Committee is recommending that this policy be pursued using Planetair's Gold Standard offsets. Planetair is a not-for-profit service based in Montreal (full disclosure: Carolyn Poutiainen, one half of the Green Law Committee, worked as an intern and consultant at Planetair, but she no longer works there and has no financial interest in this policy). Planetair has rendered the Montreal Jazz Festival carbon neutral, and has also worked with the NHL Players' Association to offset players' flights. Gold Standard offsets are "widely considered to be the highest standard in the world for carbon offsets" and do not involve tree planting. Gold Standard offsets are subject to a rigorous certification process, including consideration of the environmental, economic and social benefits to local communities involved in offsetting projects.

Aren't offsets like 'indulgences' – paying for your sins so you can keep on sinning?

Offsets have often been critiqued on this basis. However, advocates of offsetting recognize that before offsetting is used, emissions reductions must occur first. Therefore, the Green Law Committee seeks to complement the offsetting policy with other initiatives that aim to raise awareness about climate change and reduce emissions where possible. Feel free to contact us if you have any suggestions! (greenlaw.committee@gmail.com)



ALLISON
RENDER

WHAT SHOULD THE FUTURE OF RESERVE LANDS BE? PALS AND ALSA HOLD DEBATE ON FIRST NATIONS PROPERTY OWNERSHIP INITIATIVE

Private property ownership is the norm in most parts of this country, but on reserves the situation is very different. Title to reserve lands is held by the federal government, for the use of First Nations. Many transactions involving reserve lands require approval of the federal government.

On Tuesday, April 2nd, the Politics Association for Law Students (PALS) and the Aboriginal Law Students Association (ALSA) held a panel discussion on a controversial proposal to change that system. Céline Auclair of the First Nations Tax Commission discussed the Commission's initiative that would allow band councils to choose to take legal ownership of their

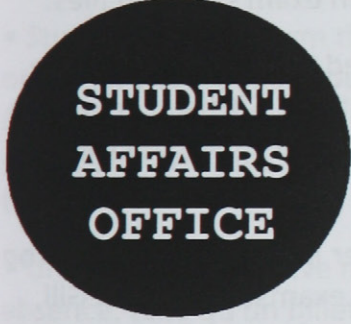
reserve lands and distribute it in fee simple title, while maintaining their governance power. The proposal is still being researched and there is not yet a draft bill. Auclair argued this would remedy the unequal legal capacity of Aboriginals to hold title to their land, and reduce some of the obstacles to economic development on reserves.

William Nicholls, editor-in-chief of Cree newspaper *The Nation*, spoke in opposition to the proposal. He expressed concern about the incompatibility of private land ownership with Cree culture and argued the proposal could lead to assimilation. He pointed to past examples of

coercion and betrayal by the federal government to illustrate why Aboriginals cannot trust the system would be truly voluntary.

Donald Nicholls, William's brother and director of the Cree Justice and Correctional Services Department, argued the proposal is unnecessary and could be harmful. He shared his experience developing businesses in his community of Mistissini, QC as a model of how economic development can be effected and financed on reserve lands without private land ownership.

PALS and ALSA would like to thank the LSA for funding this event.



STUDENT
AFFAIRS
OFFICE

ARE YOU GRADUATING THIS TERM?

If you intend to complete the program requirements at the end of the Winter 2013 term, (courses completed by April 2013 for June 2013 convocation), then you should have applied to graduate on Minerva by March 11, 2013. If you have now missed this deadline, please send an email to info.law@mcgill.ca ASAP.

Undergraduate students and non-thesis LL.M. students who expect to graduate at the end of a term are requested to do the following:

- Apply for graduation on Minerva. If you are away on exchange, please contact info.law@mcgill.ca directly.
- Review the Graduation and diploma information on the McGill Student Information site for information regarding the

convocation ceremony, how to make sure your name is spelled the way you want on the diploma, when to pick up your diploma, etc. <http://www.mcgill.ca/convocations/>

- Complete a Degree Audit form and review your academic record in order to ensure you have met all the degree requirements. <http://www.mcgill.ca/law-studies/forms#ADVISING>

- Complete the Graduation Survey available online on the CDO homepage.

Deadline to apply to graduate on Minerva for all Undergraduate students and Graduate students in all non-thesis programs (certificates, master's non-thesis):

- Students who intend to graduate at the

end of the Winter 2013 term (courses completed by April 2013 for June 2013 convocation) must apply on Minerva by March 11, 2013.

- **Students who intend to graduate at the end of the Summer 2013 term (courses completed by August 2013 for October 2013 convocation) must apply on Minerva by April 8, 2013.**

- Students who intend to graduate at the end of the Fall 2013 term (courses completed by December 2013, degrees granted in February 2014, attend June 2014 convocation) must apply on Minerva by December 2, 2013.

All enquiries regarding graduation and convocation may be sent to info.law@mcgill.ca.

EXAMINATION INFORMATION

Please review the exam information posted on the SAO web site:

<http://www.mcgill.ca/law-studies/information/exams/>.

N'hésitez pas à nous envoyer vos questions par courriel à l'adresse suivante : info.law@mcgill.ca.

BACK UP YOUR WORK

Comme la fin de session approche, le Secrétariat des études vous rappelle de bien sauvegarder vos travaux. L'autorisation de différer un examen ou de prolonger la date de remise d'un travail ne vous sera pas nécessairement accordée si vous ne réussissez pas à récupérer les documents perdus.

Students are responsible for backing up all computer work whether it be for an assignment, term essay, take-home exam, course summaries.

We strongly suggest multiple forms of back up: USB, forward to McGill email account, network space. Students have a limit of 100MB on their P: drives. For more information on storage space from the IT Knowledge base, go to:

<http://knowledgebase.mcgill.ca/it/easy-link/article.html?id=2211>

LAPTOP SOFTWARE FOR FINAL EXAMINATIONS

As of August 2012, SecurExam will no longer be used during examinations. If you have used SecurExam in the past, please uninstall the program from your laptop. Over the last several months, McGill University has investigated alternative software and has recently purchased SofTest from ExamSoft.

If you intend to use your laptop during an examination you will be required to use SofTest.

Dès le jeudi 4 avril 2013, vous pourrez télécharger le logiciel SofTest approuvé par

l'Université McGill pour les examens de la session d'hiver 2013.

Les étudiants qui souhaitent utiliser un portable durant la période d'examens de fin de session doivent absolument compléter l'entente à cet effet (« Examination Agreement ») et effectuer un test pour vérifier le fonctionnement du logiciel.

The SAO requires all students to run a test of the software a minimum of 48 hours before an examination (this will give you enough time to resolve any technical problems you may encounter). Students must take a "Mock Exam" and should do so under real life conditions i.e. in a NCDH classroom with the laptop you intend to use during exams running the SofTest software for a minimum of 30 minutes.

Le Secrétariat des études n'impose plus de date limite pour télécharger SofTest; l'étudiant demeure néanmoins responsable de compléter toutes les étapes nécessaires avant l'examen.

Non-compliance with the Examination Agreement will disallow the use of a laptop during final examinations. Any attempt to breach the software will be subject to disciplinary actions.

LOANER

A limited number of loaners will be made available to students. The loaners are available via ICS-Walk in Support/AV Centre, located at 688 Sherbrooke St. W., Room 285. The loaners are available on a first come first serve basis. Students must place a request to ICS at least 2 days before the examination date and may only keep the laptop for a maximum of 2 days. Students borrowing a laptop are still required to complete the Examination Agreement and run a test. The software will have been installed on all loaners ahead of time.

You may wish to back-up your encrypted exam file submissions before you return

the loaner laptop.

All the files, including exams and backup files, are located in the following location:

• Windows:

1. C:\Program Files\ExamSoft\SofTest 11.0\User ID folder (6-digit number)

Within the User ID (e.g. 825012) folder are 'answers' and 'exams' folders.

Exams folder: Folder contains separate folders for each downloaded exam files that haven't been taken yet. There will be no exam files in that folder once all downloaded exams are taken or if you have yet to download any exam file.

Answers folder: Folder contains exam id folders for each exam taken and all final uploaded answer files. Within each exam id folders are each exam's backup files.

It is recommended that you back up the User ID folder onto a USB/flash drive before returning it to the IT Walk-in Help Desk.

The SofTest loaner laptops have a desktop shortcut to www.examsoft.com/McGill, and a PDF desktop shortcut for instructions on connecting to the McGill wireless called "Wireless Instructions".

EXAM NUMBERS

Students can log onto Minerva to retrieve their assigned Law Exam number (4 digit, term specific). This number is located under the "Student Menu". Click on "Registration Menu" and go to the "Check your Registration Eligibility and Verify your curriculum" page. The Law Exam number will be listed on the left, just above "Earned Credit".

Only your Law Exam number for the current term will be displayed (previous terms will not be available).

Students must memorize their exam number.

TERM PAPERS AND ALL TERM ESSAY DEADLINES

All courses being evaluated by a Term Paper and all Term Essays are to be submitted electronically to the SAO on April 23rd, 2013, no later than 3:00 pm unless an earlier deadline has been established. Veuillez vérifier auprès de votre chargé de cours si l'identification se fait à l'aide de votre nom ou de votre numéro d'examen. Référez-vous au modèle de page de présentation du Secrétariat des études : Cover page for written work [.doc]. <http://www.mcgill.ca/law-studies/information/deadlines/>

LANGUAGE OF EXAMINATIONS

Students are reminded of the following Faculty policy: "Examinations are set in the language in which a course is given, but may contain materials in either French or English." (Reg. 20).

DEFERRED EXAMINATIONS

- Deferred examinations are available to students who for medical reasons or analogous causes cannot write examinations at the normal time.
 - Students must inform the SAO, prior to or within twenty-four hours of the examination, of the reasons for requesting permission to write a deferred examination.
 - Une pièce justificative motivant votre absence, telle qu'un billet du médecin, est requise.
 - Les examens différés ont lieu à la Faculté de droit au mois d'août.
- Ne peuvent justifier une demande d'examen différé les motifs suivants:
- Employment reason
 - Travel/vacation/social plans
 - Medical problems which do not seriously interfere with immediate pre-exam preparation or the student's ability to take the exam on the scheduled exam day
 - Airline flights and schedules
 - Deferred examinations are not available to a student who has commenced to write a regular examination unless the student has taken ill in the examination room (in

which case you must immediately inform the invigilator).

For each deferred exam that is approved, an "L" (deferred) will appear on your record beside the course; it will not appear on official transcripts after the final grade has been determined.

SIT-DOWN EXAMS – MCGILL ID REQUIRED

- Pour être admis dans la salle d'examen, chaque étudiant doit présenter sa carte d'identité McGill au personnel responsable de la surveillance de l'examen. Un numéro de siège vous sera remis au hasard. Ce numéro correspond à la place où vous devrez vous asseoir pour compléter l'examen.
- Your McGill ID card and seat card must remain on the desk throughout the examination.
- Les présences seront notées 15 ou 20 minutes après le commencement de l'examen.
- ALL STUDENTS MUST REMAIN SEATED until the invigilator(s) have picked up your exam and you have signed out. Invigilators have been instructed to report the names of students who do not respect this policy.
- Upon completion of the exam, you are required to sign out.
- La personne responsable de la surveillance de l'examen prendra en note l'heure officielle du début et de la fin de l'examen.

When the invigilator announces the end of the examination you MUST STOP WRITING. Invigilators have been instructed to report the names of students who continue to write/type to the SAO. This is a serious offence and will not be tolerated.

Tout appareil électronique permettant de récupérer, de mémoriser ou de communiquer des informations (baladeur, téléphones cellulaires, téléavertisseurs, etc.) ne peut être utilisé lors d'une séance d'examen en salle. Vous devez absolument les éteindre et les laisser dans vos sacs ou vos casiers. If found these items will be confiscated by the invigilator and turned over to the SAO. You are NOT permitted to use your laptop to access the

web, class notes, summaries or any other saved information during an exam.

Tout étudiant sera accompagné pour se rendre à la salle de toilettes. Il doit tout d'abord en aviser le surveillant qui l'autorisera à se rendre aux toilettes lorsqu'un accompagnateur sera disponible.

TAKE-HOME EXAMS

Students will find all exam schedules available for download on the Current courses & registration information page.

Take-home exams will be downloaded from and submitted to the ExamSoft website at www.examsoft.com/mcgill. Take-home exams must be completed within the examination period. You may submit at any time of the day or night, any day of the week, including weekends, as long as you respect the time constraints of the exam.

Voici quelques suggestions pour les étudiants écrivant un examen maison :

1. Vérifiez la durée de votre examen maison (6 heures – 72 heures). En cas d'incertitude ou d'ambiguïté, demandez au chargé de cours de clarifier cette information en classe.
2. Les étudiants sont fortement encouragés à lire le guide de McGill sur le plagiat, disponible à la page suivante: Student guide to avoiding plagiarism.
3. Utilisez la page de présentation que vous fournit le Secrétariat des études pour votre examen maison. Consultez le lien suivant: Cover page for written work [.doc]
4. Vous devez vous identifier uniquement au moyen de votre numéro d'examen de ce semestre (nom de document et page titre). La soumission se fait électroniquement par le biais du programme ExamSoft : www.ExamSoft.com/mcgill. Pour information, voir <http://www.mcgill.ca/law-studies/information/exams>

Si vous avez des questions, n'hésitez pas à communiquer avec nous par courriel à l'adresse suivante: info.law@mcgill.ca.

RETOUR SUR LE COLLOQUE FRANCOPHONE DE LA REVUE DE DROIT DE MCGILL

Par Antoine Champagne, Lawrence David, Laura Rhodes et Andréa Suurland

Dans le cadre de son 60ème anniversaire, la Revue de droit de McGill organisait, le 18 mars dernier, un colloque qui a permis aux participants de s'interroger sur les aspirations et l'impact de la recherche universitaire en droit. Les présentations ont porté sur des thèmes tels que la place de la doctrine en common law et en droit civil, son influence sur les décisions judiciaires ainsi que son utilité pour les praticiens. Le Doyen de la Faculté de droit, Daniel Jutras, a ouvert le colloque par un mot de bienvenue, en rappelant aux participants le rôle de premier plan que joue la Revue de droit de McGill en tant que point de rassemblement intellectuel pour la communauté juridique internationale, nationale et locale.

La présentation du professeur Finn Makela (Université de Sherbrooke) a mis l'accent sur deux points principaux, soit l'apport de la recherche pour les universités et l'utilité de la recherche pour le droit. À travers sa présentation, le professeur Makela a fait état de la tension opposant une conception de la faculté de droit comme lieu de recherche, d'un côté, et comme lieu de formation professionnelle où la recherche se fait de manière périphérique, de l'autre. Le conférencier a relevé que les tentatives de comprendre la nature de la discipline d'un point de vue interne ou fondamental, plutôt que d'une perspective multidisciplinaire, ont eu tendance à exacerber le malaise auquel les professeurs de droit sont déjà prédisposés en raison de la relation historique entre la profession et les universités.

Le professeur Makela a ensuite encouragé les participants du colloque à s'interroger sur l'utilité de la recherche universitaire à l'extérieur des facultés de droit. Dans cette veine, le conférencier a avancé que la tendance est d'employer le nombre de citations par les juges comme critère d'utilité de la recherche universitaire. On cite plusieurs auteurs, dont l'étude critique de Henry Edwards (1992), pour établir que le locus classicus aux États-Unis est de situer la recherche abstraite, interdisciplinaire et théorique dans une perspective de doctrine juridique ne servant aucune fin pratique. Le professeur Makela rejette ce point de vue, remettant en cause le lien traditionnel entre « utilité de la recherche juridique » et « citation judiciaire » et relevant la

diversité d'interprétations à laquelle le critère d'utilité peut être assujéti. Le professeur est donc fermement d'avis que les chercheurs doivent se méfier des affirmations voulant que leur recherche soit de plus en plus déconnectée de la pratique du droit, en concluant qu'aucun critère objectif en soi ne permet d'évaluer l'utilité de la doctrine juridique.

La professeure Julie Paquin (Université d'Ottawa) a commenté les propos du professeur Makela. Elle a exprimé son accord avec lui pour ce qui est de la « double contrainte » à laquelle sont confrontés les chercheurs universitaires. En effet, ils subissent la pression de se tourner vers l'interdisciplinarité, de s'extérioriser du droit pour attirer une variété de publics, tout en étant fidèles à leur discipline interne et à leur rôle de savant juridique. À titre de solution partielle, elle appelle à davantage de recherche sur la pratique juridique en tant que telle : d'après elle, cette recherche permettra à la recherche en droit de conserver un sujet « juridique » tout en effaçant l'impression « d'imposeur » ressentie par grand nombre de juristes qui effectuent de la recherche qui recoupe avec des domaines connexes. De la sorte, la recherche en droit deviendrait nécessairement plus « utile », peu importe le critère d'évaluation emprunté.

La session d'après-midi fut toute aussi stimulante. Accompagné de la doctorante Alexandra Popovici (qui est aussi sa fille), et du professeur Sylvio Normand, l'illustre académicien Adrian Popovici (Université de Montréal, Université McGill) présenta à la foule sa vision de la recherche universitaire en droit civil.

Le professeur Popovici a d'abord défini la recherche comme l'ensemble des activités reliées à la poursuite de la connaissance. Citant le philosophe Friedrich Holderlin, le professeur remarqua que le/la chercheur(e) n'est « rieur », c'est ce qu'il/elle cherche qui est « tout ».

Selon le professeur Popovici, les aspirations et l'impact de la recherche universitaire doivent être compris en fonction de ses différents utilisateurs, et des fonctions variées qu'ils lui consacrent. En premier lieu se trouvent les praticiens du droit. Communément identifiés comme juristes, les prati-

ciens ont, pour le professeur Popovici, une conception utilitaire de la recherche juridique.

En deuxième lieu se trouvent les légistes, qui s'occupent principalement de légiférer et d'améliorer les lois et les politiques publiques. La recherche est très utile pour cette classe d'acteurs juridiques : le législateur bénéficie d'une riche réserve de recherches académiques subventionnées par l'État. Cette dernière influe donc le législateur dans la rédaction de nouveaux textes de loi et dans l'amélioration de loi ancienne élucidée par la doctrine académique.

La troisième classe d'acteurs juridiques identifiée par le professeur Popovici est bien sûr l'académie. Cette dernière joue un double rôle dans le façonnement des aspirations et de l'impact de la recherche universitaire. En premier lieu vient son rôle créateur – les universités agissent comme véritable giron de recherche juridique, principalement de type doctrinal. Il faut différencier entre la recherche simplement analytique de celle de type critique et qui cherche à faire évoluer le droit. Cette dernière envisage la recherche comme véhicule de justice sociale, tandis que son homologue analytique se contente de résumer le droit simplifier. Le professeur Popovici y voit une perspective positiviste, qui cherche à légitimer l'ordre juridique.

The comments of Professor Sylvio Normand (Université Laval) emphasized the habitus enacted through the legal literature. In this, he drew from Patrice Bonnewitz' interpretation of Bourdieu, concerning how one becomes a social being through the gradual internalization of the activities and experiences of everyday life, to develop unconscious principles for action, perception, and reflection. This notion of habitus is also explored by Desmond Manderson and Sarah Turner, in their must-read article "Coffee House: Habitus and Performance Among Law Students".

For Professor Normand, the body of legal literature has many authors, including judges, lawyers, and professors, and includes cases, articles, and commentary that together function as "required reading" for everyone who undertakes a legal education. The legal literature has among its goals the attainment of homogeneity, and so repeats accepted values, for example, the liberal values of the legal community in Quebec. Therefore, it produces a certain recognizable type of jurist. And, most importantly, it legitimates the existing legal order, emphasizing its neutrality and autonomous role within society.

Yet Professor Normand is most concerned with the particularities of legal doctrine that function to exclude its cross-

pollination with other domains of research. He mentioned several such characteristics, including the technique of exegesis (as perhaps shared with theology), and the doctrine's precise style, structured presentation, and explicit methodology, as well as its reverence for certain sources, notably jurisprudence. Professor Normand also stressed that members of the legal community have a unique way of reading (legal) literature, preferring to consult specific indexed parts over the integrated and continuous reading of entire texts. Thus, the fragmentation of its literature is a peculiarity of the legal domain.

Overall, Professor Normand is concerned that these characteristics of legal literature may produce an "isolated research" that does not interact well with other research domains and fails to either reach or draw from non-jurists.

Le colloque s'est terminé par une présentation de l'Honorable Michel Bastarache. En tant qu'actuel avocat-conseil et qu'ancien professeur, doyen et juge à la Cour suprême du Canada, sa perspective sur la recherche juridique promettait d'être fort intéressante. Me Bastarache s'est d'abord prononcé favorable à tout type de recherche, qu'elle soit utile ou non aux décisions des tribunaux. Cette opinion s'explique par le rôle assez large qu'il attribue à la Cour suprême; pour lui, elle n'a pas uniquement pour objectif et finalité de trancher des litiges, mais également de prendre des décisions importantes pour le développement du droit canadien, avec toutes les implications politiques, sociales, économiques et morales qui en découlent.

Comme le professeur Makela, Me Bastarache a souligné qu'il fallait se méfier d'associer l'utilité d'une doctrine aux citations de ladite doctrine dans les décisions judiciaires. Il a admis que les juges lisaient et considéraient fréquemment certaines pièces de doctrine sans nécessairement les citer. En revanche, Me Bastarache a souligné l'importance de la préservation de l'autorité du juge. Pour lui, le juge doit être à l'abri des tendances doctrinales et éviter d'être trop influencé par les chercheurs en droit. Cette opinion a fait réagir l'auditoire et a suscité de nombreuses interventions lors de la période de questions.

La Revue de droit de McGill souhaite remercier tous les présentateurs et participants qui ont rendu ce colloque très intéressant. À l'année prochaine !

CRITICAL RACE THEORY

MUGSHOT

267 78 4 84 9

2012

BY PHOTOBOOK

Please join the **CRT Student Initiated Seminar** for a **Poster-Presentation** and **discussion** analyzing a variety of legal issues from a critical race perspective. The Presentation will be followed by a reception in room 310.

When: April 10th from 11:30 – 14:30 am
Where: New Chancellor Day Hall, Room 312

McGill University - Student Initiated Seminar



McGill

Faculty of
Law

Faculté de
Droit

Dean Daniel Jutras is proud to invite you

to the Faculty of Law's inaugural

Talmudic Law Moot Competition

Presented with the philanthropic support of the Lederman Foundation

Thursday, April 11, 2013 – 6:00 p.m.

Maxwell Cohen Moot Court (room 100)

Faculty of Law, McGill University

3644 Peel Street, Montreal (entrance via 3660 Peel)

A reception will follow in the Common Room

RSVP by: April 5

Alumnioffice.law@mcgill.ca

Le doyen Daniel Jutras est fier de vous inviter au

Concours inaugural de plaidoirie de droit talmudique

de la Faculté de droit, qui se tiendra

Le jeudi 11 avril 2013 à 18h00

grâce au soutien philanthropique de la Fondation Lederman

Tribunal-école Maxwell-Cohen (salle 100)


Faculté de droit, Université McGill

3644, rue Peel, Montréal (entrée par 3660, rue Peel)

Une réception suivra dans le Grand Salon

Prière de confirmer votre présence d'ici le 5 avril

Alumnioffice.law@mcgill.ca



**EGBERT
DE GROOT**

I AM THE SEXIST NEIGHBOUR

Having been quoted 'anonymously' (but which was widely attributed to me within the 1L community) as the speaker of a sexist remark, I hesitated in formulating a reply. The remark was apparently sufficiently harsh to bring about an obligation on the part of a classmate to speak out and denounce me, an obligation which is of "a collective nature that stems from what we do and who we are".

The denunciation appeared in the first edition of the *Contours* magazine published this semester, which included material from both students and professors here at the McGill Law faculty. *Contours* aims to reflect on and discuss issues related to women in law. The articles are well-written, informative and creative pieces. Much of the material was personally relevant, especially to an ongoing discussion my fiancé (a woman working in a demanding, male-dominated professional field) and I have been having on how starting a family can work in our situation. To this end I congratulate the editors and writers for contributing to a constructive understanding of gender dynamics. This dialogue is relevant to everybody in the faculty in our personal lives and in our careers.

My hesitation in replying was due to not wanting to detract from this otherwise constructive discussion. However, I do think it is helpful to provide the context in which my comment was raised, question whether the remark was discriminatory (let alone sexist), and conclude with thoughts about constructive dialogue in a legal academic environment.

So here goes. The offending remark:

"Women make less than men, it's an economic fact. It would be unfair to compensate [victims who before their injury earned below average income] based on average incomes as it would put the victim in a better position than they would have attained but for their injury. Economics is a science that does nothing but describe reality, to which end the result is fair."

The question at issue in our extra-contractual obligations class was how to calculate lost earning potential of the individual harmed as a result of the negligent or intentional actions of another (particularly problematic in the case of women and minorities, who get less compensation as they are assessed lower). The menu of options includes using

expert opinion as to the lost earning potential of the individual harmed, the use of generic actuary tables or whether to employ fixed compensation amounts for a specific injury.

Each of these options has strengths and weaknesses. For example, if, as is stated in my old private law course packs, the object of extra-contractual liability is *restitutio ad integrum* (restoring the victim to the original condition), then expert-generated best estimates of loss of future earnings taking in all personal characteristics of the victim should fulfill this aim. If this is impractical, cumbersome or prohibitively expensive (i.e. in class actions involving large numbers of victims) actuary tables incorporating various personal characteristics such as age, race, gender, income prior to accident have been used to generate this estimate as a substitute. Lastly, in some instances (such as bodily injury resulting from car accidents in Quebec), a fixed pre-defined value is set based on the nature of the injury and is independent from a victim's personal characteristics. Pre-defined values are simple to administer, egalitarian, but are typically set at a fraction of the actual loss suffered.

In exploring these three options, I argued that using expert opinion or up-to date, accurate actuary tables to estimate lost income, fairly fulfills the aim of *restitutio ad integrum*. The underlying condition is that people get compensated for their actual lost income. Hence if in our society women earn less, they will get compensated at a lower level as compared to men. Increasing the level of compensation beyond this will by definition be a penalty to the defendant. I must also note that I clearly expressed my view that the underlying injustice was the fact that women, on an equity basis, earn less than men and that it is this injustice which should be directly tackled.

Others in the class disagreed with me, and thought that those with below average income should be compensated at an average income level. This reflected a sense that the law ought to represent an ideal, to be used (as stated in the *Contours* article) "to change something in the world."

"Change something in the world" is a fine viewpoint. I genuinely admire such bright-eyed ideology brought into the law school at such high levels of intensity. I mourn its slow death as students suffer under stacks of readings, while struggling to find their balance in a world that has been

destabilized due to He Who Brutalizes, et al (Prof Forray, Quid Novi, March 19, 2013). This does not however give free licence to disregard either obtaining support for one's own arguments or for constructively criticizing opposing views. After all, this is why we are here – to learn to think clearly and precisely. In this instance, there was plenty of scope to try to put together an argument based on, for example, the doctrine the Supreme Court of Canada developed to interpret section 15 of the Charter. I do not think that this is a trivial or obvious exercise.

What is certainly not fine is stifling discussion by brandying about allegations such as sexism and discrimination wi-

thout even trying to explain why the alleged comments deserve to be labeled as such. For those of us in first year who are trying to understand the courts' application of equality under section 15 of the Charter, we can appreciate that in expressing humanities highest ideals and aspirations, recognizing discrimination remains a difficult task requiring fairness, reflection, and, at the very least, nuance.

To paraphrase the character Claire Underwood of "House of Cards" (U.S. version): I'm not upset that you called my remark sexist, I just wish you did it better.

The Ballad Of New Chancellor Day Hall


*She did not wear her scarlet scarf
For she has no commas to spare;
Her skin bare to the frost
Her views often lingered in midair
And as the car yawned in its place
Out walked shoes you wouldn't dare*

*For her day's work shares no sympathy
To meet a child's expectations
As the anxious laughter fueled quick scampers
She'd need review dissertations
But for the intrusion of her eldest child
To double the professor's obligations;
"I have a game!" he yelled
As she appeased the childish remonstrations;
With love as she so often does
She'd apologize without explanations*

*She's the first to roost, the last of sleep
A teacher without repose
All For the maddened scribbling students
Maddened by their very own goals;
And while every teacher has much to teach
Her lesson plan does not close*

*For every teacher, teaches the things they love;
But you teach how to give way to those.*




**GRAHAM
SPLAWSKI**

PRESIDENT'S FINAL REPORT OR WHAT WE DID WITH YOUR \$56.76

Like so many of my predecessors, in this, our centennial year, I benefited from a great team on the Executive, so my report will focus on our team initiatives. They best show the strength of the organization that the 2012-13 Executive will be leaving for students.

La première de ces initiatives, dont tous ont pu bénéficier a été celle de changer la disposition des meubles dans le bureau de l'AÉD. Paul et moi avons déplacé les sofas pour les rendre plus accessibles et pour faire de la place aux pauvres classeurs! Ceci a jeté les bases de l'attitude d'ouverture qu'on a essayé de continuer d'afficher cette année.

Our model projects following this theme were the governance committee and the resulting reforms, and the language policy. As a result of the governance committee's hard work and extensive consultation, the LSA has adopted new budgeting procedures aimed at transparency and inclusiveness, and a new access to information by-law that clearly outlines our transparency mechanisms and helps students hold the LSA to account. Thanks go to Andrew B, Steph, François and Patrick for all their hard work.

But the committee's work isn't over, and now I must turn to you, my colleagues, to make their work meaningful. The access to information by-law is online, and gives law students unprecedented access to LSA documents. If every student went to the office once and asked which cheques the VP Finance is signing, or who got DDF funding this semester and for what, everyone would learn about how to use the LSA's money to achieve their goals. You'll also get a chance to find out how cool your Executives really aren't, and how the journals get allocated money for champagne.

Le comité des langues officielles s'est également dévoué à des heures de consultation avec les étudiants et les membres de la Faculté, et est maintenant très près d'une importante réforme à la politique linguistique de la Faculté de droit de McGill. Ce nouveau document décrira en outre beaucoup mieux la réalité linguistique des étudiants, telle que vécue tous les jours entre les murs du Pavillon Chancellor Day. En effet, cette réalité est bien différente de celle qui prévalait au début des années 1990 alors que l'ancienne politique linguistique avait été écrite. Félicitations à Alex pour avoir mené ce projet avec brio, et un gros merci à Dominic, Pierre, Marie-Laure, François, Frank et Maryse pour leur travail acharné ainsi que leur grande patience.

Largely thanks to Carole's prowess in fundraising (our best year in recent memory at over \$75,000), we more than doubled the amount of funding available to clubs over last year's disburse-

ments, and Andrew H did an amazing job allocating clubs funding and managing the LSA's relationship with all our affiliated organizations. Journals also gained funding and a regularized relationship with the LSA. Mike and Carole led the way on this file, and worked with the journals to craft an elegant solution to the fact pattern.

Le nouveau site web, bien que sa configuration ait été un peu plus compliquée qu'on ne l'aurait envisagé, a rendu l'AÉD plus accessible aux étudiants et aux anciens. Le site web est également beaucoup plus fonctionnel et pratique pour ce qui est de l'annonce d'événements par les clubs et l'administration. Je tiens à remercier Evita pour tout son travail sur ce dossier, et Andrew B pour aménager le nouveau système des commandes des sweats-hirts, avec Paypal!

Congratulations as well to Paul and Sarah for making all the events in the LSA's centennial ones students will remember for the next hundred years. Orientation featured more diverse and inclusive events than ever before, and the participation reflected this focus. Malpractice Cup, ski trip, and all the other events were well attended and on budget. And our 100th Anniversary Coffeehouse was a great success, and a fitting tribute to an organization known for its party-planning expertise.

Bien que l'exécutif ait connu son lot de succès, cette année a également été riche en défis pour l'AÉD. Toutefois, nous avons tous beaucoup appris de ces défis et nous nous en trouvons aujourd'hui grandis. Premièrement, le désastre de communications qu'a été le référendum de septembre dernier sur les amendements à la Constitution nous a permis d'entamer un grand dialogue sur la gouvernance de l'AÉD. Ce dialogue, qui a été ultimement très constructif, nous a démontré à quel point les étudiants ressentent une passion pour les politiques de l'AÉD. Le succès du comité sur la gouvernance montre à quel point nous avons appris des événements de cette année, en ce qui a trait à la communication et à la consultation.

Our Chief Returning Officer, Steph Bachelet, led the way on significant changes to the LSA's elections bylaws that will see their full impact next year. Online campaigning has begun, and will be refined, and the Faculty will benefit from a full time, professional CRO. These changes will improve transparency and efficiency in our electoral process.

I'd like to give special thanks to my friend Mike Mulroney, who has done the thankless job of administering the LSA's financial bureaucracy for two years. Mike has proudly processed over 1000 cheque requisitions in his tenure, as well as delivering two

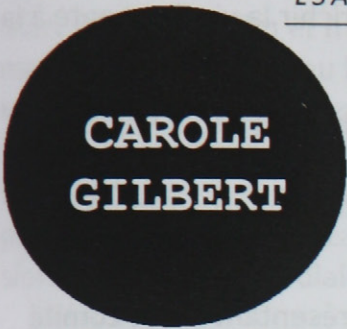
masterful budgets. After processing a mere 50 cheque requisitions this summer, I can personally attest that we all owe a great debt to Mike for his years of dedication.

Enfin, je veux saisir l'occasion de remercier tous ceux qui ont participé et qui ont été impliqués à l'AÉD dans les trois dernières années, que ce soit dans au niveau de l'exécutif, du Conseil, des clubs ou des comités étudiants. Également, je tiens à remercier chaleureusement le soutien précieux du Doyen, d'Aisha, de Ma-

ryse, et de tous les membres de l'administration qui ont contribué à améliorer l'efficacité de la relation entre la Faculté et l'AÉD.

I've sat on the LSA Council for three years, and seen amazing changes toward transparency, openness, and inclusiveness. I've seen how much we have to be proud of in our LSA, and how its greatest strength is a student body that strives to make it even better. I will always remember my days on the LSA with pride, and thank you all for helping to make those memories.

LSA VP Public Relations



CAROLE
GILBERT

VP PUBLIC RELATIONS EXIT REPORT

Premièrement, j'aimerais vous remercier pour une super belle année ensemble! J'ai vraiment aimé collaborer avec vous pour la mise en œuvre d'une variété d'événements, où la nourriture et la boisson gratuite n'ont pas manqué de vous apporter le sourire aux lèvres! Évidemment, ces événements n'auraient pas été possibles si ce n'était pas pour la collaboration précieuse des membres de l'exécutif et du conseil de l'AÉD, ainsi que des membres des comités Skit Nite et Law School of Rock. J'aimerais également remercier Maryse Chouinard du CDP pour sa collaboration et son soutien tout au long de l'année, Thomas Chalmers du SAO pour avoir étampé toutes mes affiches, les secrétaires du local 20 pour leur patience ainsi que les concierges pour leur assistance généreuse après tous mes événements.

Vous m'avez probablement remarqué le plus souvent lors des Coffeehouse commandités, où j'ai été responsable de coordonner la soirée avec les cabinets commanditaires et de m'assurer du bon déroulement des choses. C'était vraiment un plaisir pour moi, mais mon implication au sein de l'AÉD a été beaucoup plus diversifiée que cela cette année.

My mission this year was to increase the variety of networking events available to students, to attract new sponsors to the LSA, as well as to maintain good relations with our partner organizations.

Orientation week was very busy, with more events being sponsored than in previous years: National Bank sponsored the Welcome Dinner at l'Académie and Bennett Jones from Toronto sponsored a Welcome Barbeque for the first time. Outdoor events remained popular throughout the Fall, with Heenan Blaikie sponsoring a Sandwich/Poutine wagon for the first time as well, near the end of September. I successfully convinced two banks to sponsor us: Des-

jardins became a new LSA Sponsor and we signed a new contract with Banque Nationale. I also brought in Harcourts robemakers, who were generous enough to donate four mooting robes to us!

J'ai également réussi à inviter des avocats oeuvrant dans des domaines moins connus à la Faculté: Me Louis Béland est venu nous parler de Rio Tinto et Me Daryl Davis nous a expliqué son travail de contentieux avec la Banque Nationale. Nous avons également eu l'occasion de discuter du travail Pro Bono en cabinet lors de la visite de trois associés du cabinet Norton Rose en octobre. Je pense que ces expériences ont été fort agréables pour ceux qui ont pu y participer.

I also made special efforts this year to encourage sporting activities within our Faculty: Osler was happy to sponsor the Homecoming Run, the Ski Trip as well as the OCFC Football Club for the first time. I hope they will choose to continue to encourage these types of activities for years to come!

Overall, I had a fantastic year with the LSA and feel very fortunate to be surrounded by so many wonderful and ambitious people here at the Faculty. I hope I was successful in making your year more enjoyable as well.

I am interested in hearing from you if you have any questions or comments about my work. Drop me a line at vp-pr.lsa@mail.mcgill.ca.

Last, but not least, I would like to thank Jérémy Boulanger-Bonnely for his excellent and highly effective work with the Quid Novi!

[NDLR : Merci Carole, ce fut un plaisir de travailler avec toi!
- Jérémy]

**EVITA
FERREIRA**

VP ADMINISTRATION EXIT REPORT

It has been an absolute pleasure to serve as your VP Administration for the 2012-2013 academic year. My role has been to act as your liaison between the Law Students' Association and the McGill administration at the Faculty of Law.

Some highlights from my portfolio this year include:

L'agenda de l'AÉD: J'étais responsable pour la conception et la compilation de l'agenda de l'AÉD. L'agenda à inclut des messages personnalisés de votre exécutif, une liste des comités de l'AÉD et de la Faculté, les descriptions des clubs à la Faculté pour encourager la participation des étudiants dans la communauté McGill et la communauté au sens large, les dates importantes telles que les événements de l'AÉD, le CDP et le SAO, les vacances d'hiver, la semaine de lecture, et beaucoup plus.

Website: This year, the LSA website was completely re-designed. Some new features of the website include a calendar of events, a home page feature with greater visibility for special events with posters, a tab for Minutes and Resolutions from Council Meetings, blurbs and photos of your Executives along with their office hours, a list of past LSA Executives, and all important documents for Clubs members and McGill law students in general. I solicited student feedback on the LSA potentially offering a mobile app with access to our calendar of events, an initiative that I hope next year's VP Administration and VP PR will implement in the coming year.

Comités de l'AÉD et le Conseil de la Faculté: J'étais responsable pour la nomination des étudiants à divers comités de l'AÉD et du Conseil de la Faculté. Merci aux élèves qui ont consacré autant de temps à ces comités qui servent à enrichir la vie étudiante à la Faculté!

Listservs: I sent bi-weekly listservs, which served to keep students informed of various events such as town halls, leadership seminars, coffeehouses as well as announcements from members of the Executive.

LSA Awards: Je vais travailler avec le représentant sur le comité des prix de l'AÉD pour récompenser l'initiative des étudiants à la Faculté.

Breakfast with the Exec: This year's Breakfast with the Executive series was very well attended! I feel like we all had a chance to get to know students, and created an environment where students felt comfortable sharing any concerns they had.

Pubdocs: Une des nouvelles tâches que j'ai prise en tant que Vice-Présidente Administration de cette année était d'administrer le site Pubdocs. Un grand merci à tous les étudiants qui ont eu la gentillesse d'envoyer leurs résumés!

I hope I served you all well making this year run as smoothly as possible at the administrative level, while facilitating student involvement in committees and rewarding student initiative through LSA awards.

**ALEXANDRA
BELLEY**

VP ACADEMIC EXIT REPORT

Déjà, avril! L'année académique 2012-2013 tire à sa fin, et voici le temps pour moi de faire un bilan de mes activités en tant que votre VP-Académique de l'AÉD.

Je peux d'abord affirmer, sans trop risquer de me tromper, que j'ai atteint les objectifs que je m'étais fixée il y a un an. La discussion sur le bilinguisme à la Faculté de droit est bel et bien engagée, et le comité des langues officielles a en ce sens rempli bien plus que son mandat initial. La révision de la politique linguistique s'est déroulée tout au long de l'année en collaboration ac-

tive avec le doyen, les professeurs et la communauté étudiante, comme en témoignent les articles et les réponses publiés dans le Quid Novi avant et après la tenue de notre Town Hall en janvier dernier. Le projet de rédaction de nouveaux principes directeurs en matière de bilinguisme est présentement dans sa phase finale et sera présenté pour approbation par le Conseil de la Faculté dans quelques jours.

Grading methods and their possible reforms have also been on my radar this academic year. Along with the members of the

Committee on Alternative Approaches to Grading, our objective this year was to seek out the student population's opinion on the present methods of evaluation at the Faculty and to solicit their suggestions as to whether or how it could/should be reformed. A survey was conducted this spring and a great number of very thoughtful and useful answers were received. However, our original objective of publishing a comprehensive report and recommendations with regard to various alternatives could not be met, mainly due to an incredibly busy schedule for all committee members. This will likely continue to be a front line issue this next year, and more work will be required to move forward.

Beaucoup d'action du côté du comité du curriculum également. Marc Roy, Rosel Kim et moi avons activement participé aux réunions du groupe tout au long de l'année, en fournissant des détails sur l'utilité et la perception des séminaires étudiants, et en sollicitant parallèlement vos commentaires et suggestions à ce sujet. Un town hall que nous avons organisé en février, bien que peu couru malgré la pizza, a notamment donné lieu à une discussion ouverte, très cordiale et vraiment productive!

A few words about the Law Partners Program, which started off with a greatly successful first Lunch, where first-years got to


know their upper-year buddy a little better while enjoying some sandwiches! Ideally, a few more of these friendly lunches would have been organised, but due to a variety of reasons, this proved impossible. The revamped tutoring program was however a great success, particularly in the fall semester. Students came by dozens to Thomson House in November, where a special pre-exams Q&A session/lunch was organised. I would like to thank again all the upper-year tutors, including those who came to run this session and who were all incredibly generous of their time!

Enfin, je ne pourrais passer sous silence la collaboration et la générosité de mes collègues de l'exécutif de l'AÉD. Il m'a fait incroyablement plaisir de les savoir toujours prêts à me donner un coup de main, et nous nous sommes franchement beaucoup amusés ensemble!

La fin de l'année approche, et au moment où ce court article paraîtra, nous saurons qui des trois excellents candidats en lice prendra ma place. I can affirm without hesitation that all of them will shine as a VP-Academic and most of all bring new and brilliant ideas to the LSA table!

Bonne fin d'année, et n'hésitez surtout pas à m'écrire si vous avez des questions ou des commentaires!

LSA VP Internal



**SARAH
KETTANI**

VP INTERNAL EXIT REPORT

Le temps a vraiment filé et c'est avec tristesse que je quitte mon poste de VP-Interne de l'AÉD. J'ai beaucoup apprécié l'opportunité de travailler avec chacun d'entre vous, que ce soit en tant qu'étudiant, club ou membre de l'exécutif, afin de rendre la vie à la faculté plus agréable.

L'année a commencé en force avec Malpractice Cup, le tournoi annuel de sport contre la faculté de médecine. Quatre ou cinq étudiants de médecine se sont présentés contre un groupe de 40 talentueux étudiants en droit...Inutile de préciser que nous avons emporté le trophée! Quelques nouveautés cette année incluaient la commandite de la Banque Nationale, qui nous a permis de savourer un bon lunch et quelques bières à la Station des Sports, le quidditch, ainsi que le jeu de « jenga » format géant. La participation des étudiants a augmenté de X à X par rapport à l'an dernier.

Les 26 et 27 janvier, 60 étudiants ont bravé les vents nordiques qui ont frappé la province et ont participé au voyage de ski à Québec. Les options d'activités n'étaient pas limitées au ski alpin et incluaient la raquette, le ski de fond, la glissade, le spa et la visite de la vieille ville. This trip is a great combinaison of a sport activity, as well as a social and cultural event. Many students don't have the opportunity to visit the province outside of Montreal or simply to take a weekend off to go outdoors, get some fresh air and meet new people from the faculty. This year's gene-

rous sponsorship from Osler and the LSA made the activity even more affordable and accessible, increasing the participation rate from last year's 50 participants. The ski trip brought together people from all ages and interests, and I believe it was a great success!

Finalement, une vingtaine d'étudiants ont participé aux fameux Faculty Olympics en mi-mars. Various faculties sent a team to compete in intellectual, sport and social events. The timing was not ideal with course au stage and mid-terms, but what can I say... law students problems. Nous avons évidemment emporté le « spelling bee » et le « headline debate » et perdu tout le reste. Comme on dit, ce qui compte c'est de participer!

Outre les activités majeures que j'ai organisé, le rôle de VP-interne est de faciliter l'organisation de tout événement qui se déroule à la faculté, que ce soit les événements organisés par la VP-PR, les présidents de 1e, 2e ou 3e année, ou les coffehouse, une tâche à laquelle j'ai dévoué beaucoup de temps tout au long de l'année.

In retrospect, the hours spent responding to e-mails, planning events, serving beer at coffehouse and chatting with students in the LSA office were all worth it! I truly hope the activities Paul and I organized created an inclusive and enjoyable environment at the faculty, and contributed to building a community and sense of belonging among law students.

**PAUL
GIRARD**

VP INTERNAL EXIT REPORT

The other night I had a dream where crude was dripping from the roof of the LSA office and building manager Margaret Baratta and I had to go on a quest through smoke-filled corridors deep under OCDH to fix a broken furnace. True story. Serving on the LSA has been great fun, but with dreams like that, I think it's good things are wrapping up. So let me recount some of this year's VP-Internal highlights.

My biggest job was orientation. So my first task after taking office was to assemble an orientation committee. Planning and running two weeks of events for the incoming class of 170 students is a huge task, so I was fortunate to have an excellent and hard-working group of people that made everything possible.

A few things from Orientation 2012 stand out. First, we continued the tradition of nerdy law pun themes, this year Game of Codes, personified by a Ned Stark-esque anthropomorphic book. By encouraging exchange students to join orientation, we had a record of 195 people registered, the highest participation rate of any McGill faculty. Also, by hosting new events such as a traditional Aboriginal welcome, and a murder mystery evening, orientation was more inclusive. Last but not least, we managed to nearly double the amount of money spent on beer at pub crawl, while keeping the entire orientation under budget.

My other major task was ensuring coffeeshouses ran well. This started early in the summer, by jumping through the many bureaucratic hoops set up by McGill and the Quebec government for anyone who wants a liquor permit.

Due to the good work of last year's LSA, this year we were blessed with a good variety of beer at excellent prices. This resulted in both opportunities and challenges. For example, at the beginning of the year I ordered a wide selection of beers, only to discover that some were much more popular than others. To avoid

needless spoilage and waste, I developed techniques to liquidate the less popular varieties, such as waiting until last call and pretending that there was nothing left but Unibroue Noir and Éphémère. This worked quite well. Also, Sapporo proved to be quite popular, but posed an unexpected challenge because when carelessly left in the storage room, the empty cans rapidly develop a nasty green mould. This resulted me having to yell at many people. Fortunately, most of my fellow executives eventually remembered how to put things away properly.

This was a special year for the LSA, as we marked one hundred years of existence. Despite this long history, institutional memory has always

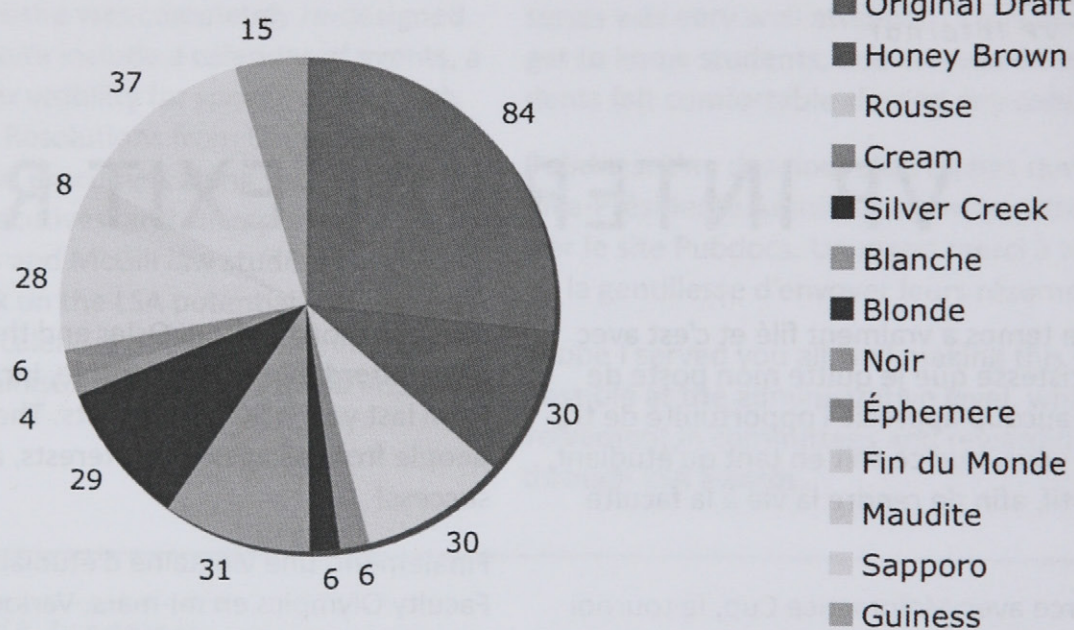
been a challenge due to the high rate of student turnover. To try and remedy this, over the summer Graham and I looked through the LSA archives that sit in our mouldy beer room, some of which go back to the 1940s. We compiled a list of former LSA executives, some of whom you will recognize, and posted them on our new website.

To celebrate our hun-

dredth anniversary, we decided to invite alumni to our LSA coffeeshouse. I had earlier found \$3000 in undeposited, two-year old cheques in a filing cabinet, so the LSA decided to use this windfall to spend on extra food and cake for students at the event. Many students and several former LSA execs attended the coffeeshouse and had a chance to share stories about their time at McGill law.

Overall, I hope I've been able to make a positive impact on some students' lives at the faculty during my time as VP-Internal. By far the best part of my time at McGill has been the ability to meet so many talented interesting people, not least are the eight excellent men and women with whom I've had the pleasure to serve on the LSA. You've all taught me very much, and provided me with good memories. Good luck to everyone on their exams.

McGill LSA Beer Consumption 2012-13, in cases



ANDREW
BAKER

LSA VP External

VP EXTERNAL EXIT REPORT

It was an excellent year for VP-Hoodies as much progress was made in LSA clothing innovation! Despite some frustrating delays from our website developer early in the year, a proper online store was finally established. The new format allows for McGill Law alumni outside of Montreal to purchase clothing and pay exact shipping fees by email. Moreover, the sweatpants introduced last year by my predecessor now come with the option of pockets! Also, I know many among you are kept up at night wondering what colour hoodies/sweatpants your colleagues are ordering. You can now sleep soundly as the statistics have been tabulated:

Red	99
Grey	42
Maroon	22
Black	12
Navy	11
Dark Heather	7
Pink	5
Indigo	3
Forest Green	3
TOTAL:	204

Sur une note plus sérieuse, le rôle du VP-Externe ne se limite pas à commander des chandails. Certes, sans la grève de MUNACA et le printemps érable, mon portfolio était moins mouvementé que l'an dernier, mais certains débats d'intérêt ont eu lieu sur le cam-

pus (en plus des réunions de 6 heures du conseil SSMU ou j'ai vaillamment représenté vos intérêts). Voici certains des points les plus importants discutés cette année :

First, the SSMU is still engaged in an epic battle of lease negotiations with a cash-strapped McGill Administration. Early this year, I had the pleasure of sitting on an ad hoc negotiation committee attempting to ensure a bright future for the Shatner building, home to our very own McGill Legal Information Clinic. Second, I also sat on the SSMU External Affairs committee tasked with drafting McGill's response to the Sommet sur l'Enseignement Supérieur. Unfortunately, limited places at the Sommet meant that the LSA could not send any delegates, but I thank all of those who spoke with me, sent emails, or filled out the SSMU surveys. Third, I worked to formalize SSMU's relationship with TaCEQ (a big thanks to 1L, Patrick Martin-Ménard, for volunteering for one of the newly created TaCEQ delegate positions).

Du côté de la faculté, j'ai eu le plaisir de travailler sur le comité sur la gouvernance, chargé d'examiner la constitution, les règlements and les procédures de l'AÉD. I examined issues of budget procedure and am pleased that LSA Council recently passed new budget bylaws that will help to clarify the process.

Ce fut un plaisir de faire plus ample connaissance avec chacun d'entre vous cette année en tant que member de l'AÉD. Bonne chance à tous pour la période d'examen!

ANDREW
HIGDON

LSA VP Clubs and Services

VP CLUBS EXIT REPORT

This has been an exceptional year for clubs. This year we were fortunate to have an executive who agreed that clubs are the most important expenditure of the LSA. Clubs are the most powerful tool students possess to build community, explore their interests, and create the law school experience that best meets their personal goals and ambitions. It has been an honour serving such outgoing students.

This year we were able to offer clubs more resources than ever before. We registered 43 clubs throughout the year with an astonishing range of interests. From our advocacy and outreach groups, to our theatre troupe and choir, McGill Law has a student body in motion. In recognition of the importance that clubs play in student life, the LSA Executive provided the clubs portfolio with an additional \$20,000 in funding, for a total allocation of

\$52,000. I am delighted to report that every penny of it was allocated.

As chair of the Deans Discretionary Fund, I was also able to distribute an additional \$12,000 to more than a dozen students and student groups. The funding was used to create projects that benefit the law student community. DDF helped students moot, attend and host conferences, visit the Supreme Court of Canada, put on plays, invite speakers and many more worthy causes.

I would like to thank the students who made my term in the LSA so exciting and enjoyable. Your drive and ambition is inspirational. I also need to thank LSA Council for putting in the hours and the effort to provide students with quality and efficient service. Finally, I must thank the rest of the executive for supporting my agenda for this portfolio. It's been a blast!

**ALYSSA
WISEMAN**

THE MCGILL JOURNAL OF LAW AND HEALTH'S 5TH ANNUAL COLLOQUIUM: BRINGING ISSUES AT THE INTERSECTION OF HEALTH AND LAW TO THE FOREFRONT

Le 2 février, la Revue de droit et santé de McGill tenait son cinquième colloque annuel, intitulé « Le suicide assisté par un médecin: Équilibrer les approches légales d'intérêt public et privé au Canada. » Le but de cette initiative étudiante bilingue est d'encourager un dialogue interdisciplinaire sur des questions à l'intersection des domaines du droit et de la santé.

This year, the speakers included Dr. Manuel Borod (Director, MUHC Palliative Care), Prof. Daniel Weinstock (McGill Faculty of Law and member of the Royal Society of Canada Expert Panel on End of Life Care), Grace Pastine (Litigation Director, BC Civil Liberties Association), Suzanne Philips-Nootens (Associate Professor, University of Sherbrooke), Alex Schadenberg (Executive Director, Euthanasia Prevention Coalition), and Prof. Margaret Somerville (Founding director of the McGill Centre for Medicine, Ethics and Law).

Not only was the McGill Journal of Law and Health very fortunate to host speakers voicing diverse perspectives on the topic, but also to have attracted over one hundred audience members from a range of academic and professional backgrounds.

Given the interdisciplinary nature of this year's topic, we felt it was more necessary than ever to reach out to as many stakeholders and interested groups as possible. In this fashion,

we fostered a well-rounded forum where individuals could learn from each other and discuss the issues at hand.

Avec ce colloque, la Revue de droit et santé de McGill souhaite encourager la collaboration entre les divers agents travaillant à l'élaboration de meilleures pratiques et politiques alternatives. Nous sommes certains d'avoir rempli notre objectif.

Presently, the BC Court of Appeal is considering the constitutionality of laws against physician-assisted suicide. The appeal stemmed from a decision made at the BC Supreme Court last June, where a judge ruled that laws against physician-assisted suicide violate the Charter of Rights and Freedoms. Many anticipate that regardless of how the Court of Appeal rules, the decision will be brought before the Supreme Court of Canada. The McGill Journal of Law and Health is not only eager to hear the decision but proud to be discussing issues at the forefront of legal debates here in Canada.

Many thanks to all who participated, contributed and attended the event! Special thanks also goes out to the Dean's Discretionary Fund, whose support ensured our events success. We look forward to holding our sixth colloquium in the upcoming year! Best of luck on exams and keep an eye out for future MJLH events!

Law Games Co-captains

**IAN CLARKE,
KAL TAMM,
PHILIPPE
HÉBERT**

LAW GAMES 2013 REPORT

A friendly message from your Law Games Captains giving you the yearly wrap-up on a record-setting year for the McGill Law Games Team.

44 vaillants guerriers ont bravé un trajet d'autobus de 12 heures vers la métropole "excitante" qu'est Windsor en Ontario. Ils ont pris part à ce qui descendra dans les annales comme étant « Le jour où l'Hôtel de Windsor figea ». Le Caesars et Windsor n'ont jamais été témoin de quelque chose d'aussi magnanime, mais il est improbable qu'ils acceptent d'en être témoin une seconde fois. Arrivant le 3 janvier, nous avons fêté fort et fêté souvent,


certaines fêtant si fort qu'ils se sont mérités un séjour écourté au Caesars avant de se voir accompagné au Hotel Motel Holiday Inn. L'identité de ces fêtards légendaires demeurera confidentielle; après tout, "What happens at Law Games, stays at Law Games". Nous mentionnerons toutefois que quelques-uns de nos coéquipiers sont parmi ceux ayant reçu quelques nuits gratuites au Holiday Inn suite à leur œuvre de peinture à doigts pour le moins, créative et inhabituelle... sur un miroir.

After a night of party-rocking at the kick-off toga party, it was an early wake-up the next morning for our sports teams to kick it



BLG
Borden Ladner Gervais



 **Desjardins**



 **LSA**  **AED**
MCGILL LAW
STUDENT ASSOCIATION
ASSOCIATION DES ÉTUDIANTS-ES
EN DROIT DE MCGILL



 **SSMU**



into high gear (Honourable mention to Guillaume Blais for being a team player and being the only participant to forego the partying and get a good night's sleep). Right off the bat, our Dodgeball team broke a year of futility as they won McGill's first sports game in almost two years (Athletics are not our strong suit ☺). For the first time ever, McGill also fielded an ice hockey team, led by Matthew Quadrini making his first appearance in goal... ever (We won't tell you the scores for his sake). The first day of competition was capped off by a tale of love, murder, and intrigue as Sarah Kettani's avant-garde interpretation of Star Wars: The Musical made its way onto the front stage of the Talent Show and Theme Night.

Le 4 janvier a été marqué de plusieurs autres étapes importantes

pour l'équipe des Jeux'ridiques de McGill. Nous l'avons entamée en participant au sport le plus geek de tous, le Quidditch (Quelqu'un peut-il m'expliquer ce qu'est un Bludger ou un Quaffle?!). Cela a été suivi par Daniel Mastine, qui dans une démonstration de ruse, d'astuce et de stratégie, a mené, avec Matthew Quadrini, McGill à sa première victoire de l'histoire dans une épreuve impliquant des capacités motrices : l'épreuve du Lance-la-balle-au-dessus-d'un-mur-dans-la-chaudière-que-ton-coéquipier-a-sur-la-tête-et-à-laquelle-il-est-particulièrement-facile-de-tricher. (Gagner c'est gagner ☺). Finalement, 4 futurs plaideurs de la Cour Suprême, Graham Splawski, Weihe Feng, Patrick Martin-Menard et Philippe Bernier-Cormier, ont brillé dans la salle d'audience, se rendant en demi-finale de la Law Games Moot Cup. La

Soirée Club demeure plutôt floue, mais il y a des rumeurs d'un certain roux volant des rondelles d'hockey tout en confessant son amour immuable à un podium de porcelaine. (La police s'est également jointe à la fête à un moment.)

The final day of Law Games was a testament to the grit, perseverance and conditioning as the team dug deep to close out the weekend. Sleep-deprived but strong-willed, our sport teams put on an incredible performance. Tim Tebow would have been proud of our run-first football team, and our waterpolo team was able to find the W column as well. Finally, Law Games closed out with the annual Formal Dinner and Awards Night. While we weren't able to nab the Law Games Trophy, our team received an honourable mention for having tripled the amount of participants from last year, participating in every single sports and social event, and for being the only school to send 2 moot teams (yea we're that nerdy)!

Pour finir, il convient de remercier nos généreux commanditaires! Merci, donc, à l'AÉUM, à l'AÉD, à Desjardins, à BLG, et à tous ceux parmi vous ayant participé à notre party d'Halloween

et à nos Candygrams d'Halloween! Nous avons amassé plus de \$17,000 cette année (un autre record, pourquoi pas!) assurant ainsi à tous ceux qui voulaient venir s'amuser avec nous que le prix ne serait pas prohibitif.

That's it, that's all. Stay classy McGill!

Participants :

Alex Spraggs, Frank Arseneault, Marie Rondeau, Philippe Hébert, Alexandra Belley, Graham MacVannel, Marie-Pier Caza, Rachel Tonelli-Zasarsky, Alexandra Bornac, Graham Splawski, Mariève Barielo-Després, Raphaël Girard, Alexandra Freedman, Guillaume Blais, Matthew Quadrani, Rémi Gauvin, Andrew Baker, Guillaume Mercier, Michaël Lessard, Sarah Kettani, Andrew Higdon, Ian Clarke, Mike Glasz, Stephanie Bachelet, Antoine Grondin, Johnathan Coulombe, Mike Mulroney, Thomas Hamilton, Arad Mojtahedi, Julia Blais-Quintal, Nicolas Benoît-Guay, Thomas McMullan, Dan Su, Justin Fisch, Patrick Martin-Ménard, Tim Apedaile, Daniel Mastine, Kal Tamm, Paul Girard, Weihe Feng, Evita Ferreira, Louise Fournier, Philippe Bernier-Cormier et Xavier Phaneuf-Jolicoeur

MESLA

ALYSSA
WISEMAN

MESLA MEMBERS PARTICIPATE IN THE HOCKEY ARBITRATION COMPETITION OF CANADA: TALK ABOUT A "LAW"KOUT

So, how 'bout dem Habs? Like many of you hockey fans, I was thrilled when the NHL lockout came to an end in January. While it was persisting in the months before, "lockout" was my buzzword. Lockout this, lockout that. Importantly, however, when it was first put into effect, I had absolutely no idea what a lockout entailed nor exactly what the player's association and the league were arguing about. After reading countless news articles, I was intrigued by the overwhelming role law plays in the sports world (I have always fancied myself more of an entertainment law kind of gal so this was all very new to me).

When the McGill Entertainment and Sports Law Association received an invitation from the University of Toronto to participate in their first ever Hockey Arbitration Competition (HACC) in October, my intrigue was peaked. I had absolutely no idea what I was in for. Personally, I was always someone who was happy when the Montreal Canadiens scored a goal or won a game and was yelling at the television when the referee made a questionable call against them. Now all of a sudden, I was looking for hockey comparables to players who were arbitration eligible and discussing GAA, +/-, and POI—the transition was all but easy! Thankfully, I had knowledgeable peers to help me through, who also participated in the competition: Stephanie Bachelet, Matthew Quadrini, and Jason Chung.

The HACC was a salary arbitration competition modeled on the procedures used in the National Hockey League. Sixteen teams from eight law schools from across Canada participated. Each team was required to submit three briefs, one for each of the competition's cases and oral arguments were held at the University of Toronto. Sports lawyers from around Toronto volunteered their time as guest arbitrators for the 27 hearings in the competition. Notable guests included Coulter Osborne, Gord Kirke and Dave Poulin, VP of Hockey Operations for the Maple Leafs. While no McGill teams placed, this was an eye-opening and fun experience, one that allowed all of us to gain practical mootting experience in an area of the law that we are passionate about.

The McGill Entertainment and Sports Law Association would like to thank the Dean's Discretionary Fund for supporting their efforts leading up to and during the event. We could not have done this with you!

If you would like to learn more about our club, you can e-mail us at mesla.mcgill.law@gmail.com and we would be happy to let you know about past and upcoming events. You can be sure that we will be participating in the HACC in the upcoming year, better and stronger than ever, so please let us know if you are interested in participating.

Good luck on exams! (and GO HABS GO!)

END OF THE YEAR REPORT

As we approach the final stretch of the academic year, it is worthwhile to reflect on the challenges and successes that we have experienced together as a faculty. As the student representatives on Faculty Council, it has been both an honour and a pleasure to serve all students over this past year.

Succès

L'année académique qui s'achève a été marquée par plusieurs événements importants pour la Faculté comme le 60^{ième} anniversaire de la Revue de droit de McGill et le centenaire de notre association étudiante! Ces événements rassembleurs et d'autres nous ont permis de souligner nos efforts et nos réussites, tant dans la poursuite de l'excellence académique que du point de vue communautaire à travers une multitude de clubs et de groupes à la faculté.

There are a number of successes we have achieved at Faculty Council this past year. In the spirit of our transsystemic program, a new course entitled "Death and Property," focusing on both the civil law and common law tradition, was created. Two new student awards were also approved by Faculty Council: The Alex Konigsberg Management and Law Scholarship and the Alexandra Dodger Memorial Award. The Faculty is also engaged in hiring new professors and many students have actively participated in the selection process.

Au cour de la dernière année, le doyen Daniel Jutras a organisé plusieurs dîners causeries pour discuter avec les étudiants de sujets les affectant directement. En tant que représentants étudiants au Conseil de la Faculté, nous avons été heureux de constater l'intérêt et l'ouverture du doyen face aux opinions exprimées par les étudiants, mais aussi de voir les dialogues qui s'en sont suivis. Par exemple, le doyen a rencontré le comité des langues officielles de l'AÉD à plusieurs reprises pour discuter de la place du bilinguisme à la Faculté. Aussi, la vice-doyenne à l'enseignement Jaye Ellis a rencontré les représentants étudiants au Conseil de la Faculté et les présidents de cohorte pour discuter entre autre des préoccupations des étudiants concernant les choix de cours et les horaires. Ces rencontres furent très utiles tant pour l'administration de la Faculté, qui a pu mieux comprendre les besoins des étudiants, que pour les étudiants, qui ont pu mieux saisir les défis auxquels l'administration est parfois confrontée. Nous espérons que ce dialogue entre l'administration et les représentants étudiants continuera l'an prochain.

Challenges

While there have been a number of successes over the past year,

there still remain a number of concerns that will have an impact on students into the next year.

As many students are well aware, the Law Society of Upper Canada approved a pilot project for new licensing procedures for lawyers in the province of Ontario. Despite concerns raised by the Deans of many Canadian law schools, including Dean Jutras, this program will apply to students wishing to article in Ontario as of next year. Students have the option of either completing a traditional articling placement or participating in an unpaid "Law Practice Program." While the full effect of such changes on the students and on the legal profession as a whole is left to be seen, students wishing to practice law in Ontario should become familiar with the new licensing requirements.

Face aux coupures budgétaires imposées aux universités par le gouvernement du Québec, la Faculté de droit devra composer avec des contraintes financières importantes dans un futur proche. Cependant, le doyen a tenu à rassurer le Conseil de la Faculté et l'AÉD qu'il fera tout en son pouvoir pour minimiser leurs impacts sur les étudiants. En raison de la structure de financement de la faculté, il sera encore possible d'entreprendre ou de poursuivre certains projets qui sont financés par des dotations privées. Il est cependant impossible pour l'instant de savoir si les contraintes financières auront un impact sur l'offre des cours et la taille des classes l'an prochain.

Ongoing Efforts

While this academic year is coming to an end there are still a number of ongoing initiatives that will continue until the end of April and into the next school year. The Official Languages Committee hopes to have a new linguistic policy adopted by the Faculty Council at its last meeting later this month. The Curricular Reform Committee will also continue its work in studying possible changes to the undergraduate program.

Les efforts des étudiants qui se portent volontaires pour siéger sur les comités mais qui ne siègent pas aussi au Conseil de l'AÉD sont souvent oubliés. Nous souhaitons donc remercier tout ceux qui nous ont assistés cette année et nous offrons nos meilleurs vœux de succès à tous pour les examens de fin d'année.

dominic.difruscio@mail.mcgill.ca
john.simpson2@mail.mcgill.ca
luca.barone@mail.mcgill.ca
marc.roy2@mail.mcgill.ca
pascale.april@mail.mcgill.ca

**MARC ROY
& LUCA
BARONE**

AD HOC COMMITTEE ON CURRICULAR REFORM REPORT

This year the Faculty established an ad hoc Committee on Curricular Reform, with a mandate "to build our knowledge base and consider possible pedagogical reconfigurations for the delivery of the undergraduate program, including modular teaching, decoupling of credits from contact hours, sequential or simultaneous team teaching, and expanded opportunities for experiential learning."

Nous deux, en tant que membres étudiants du conseil de la Faculté, avons également été membres du comité. Cette année notre mandat comme comité était de considérer spécifiquement le programme de première année de façon formelle (c'est-à-dire sur les méthodes d'enseignement mais pas sur la matière du curriculum).

The committee adopted three specific proposals for pilot projects to begin next year. Although none of them require formal changes to faculty regulations, at the time of writing they have not yet been officially adopted by the Faculty. First is a change to the way first year classes are run during orientation week, to include plenary sessions for every class attended by all first-year students supplemented by small-group meetings with the legal

methodology tutorial leaders. Second is a "consolidation week" for first-year classes half way through the fall term, during which no new material will be assigned in readings or covered in classes. During that week, professors will organize activities designed to give students feedback on their learning and an opportunity to consolidate the information that has been covered by that point in the term. La troisième proposition est de permettre aux étudiants de travailler comme assistant de recherche pour crédits, en utilisant le mécanisme du cours de clinique juridique. Le nombre d'emplois payés pour les étudiants en recherche ne sera pas changé.

The scope and goals of the curricular reform process in the next year and beyond is not yet clear. Whether through a renewal of this committee or through other means, we hope to see the process continue, and reach towards new goals as ambitious as the introduction of the integrated McGill Program, and the National Program before that.

It has been a privilege to serve on the Curricular Reform Committee as your representatives and we thank you for your trust.

**CDO
ADVISORY
BOARD**

CDO ADVISORY BOARD REPORT

Dear fellow students,

It was a pleasure to serve as your representatives on the CDO Advisory Board this year, together with Maryse Chouinard, Madeleine Hyde and Assistant Dean Topsakal.

Cette année le CDP a augmenté la diversité des événements offerts aux étudiants: le coffeehouse pour la justice sociale, le cocktail des carrières alternatives, la soirée vins et fromages spécialement conçue pour les étudiants en première année, l'atelier interactif avec les employeurs pour les participants au recrutement de Toronto. Nous pensons que ces initiatives ont été vraiment appréciées par les étudiants qui ont pu y participer.

The CDO is actively working towards compiling statistics with regards to organized recruitment processes, so please let them know (send them a quick e-mail) if you were successful in obtaining

a position this year. Also, if you were not successful, please let them know as well. Your experience with the recruitment process aids the CDO in compiling meaningful statistics that other students can benefit from. If you have any information regarding recruitment or interviews that you feel other students may be able to benefit from, please do not hesitate to reach out to your CDO. A link to a survey has also been sent in the last CaS list. Please take the time to respond!

En ce qui concerne l'année prochaine, le CDP continuera à faire la publicité de ses événements sur le calendrier de l'AÉD (disponible sur <http://www.lsa-aed.ca>) et à travailler de façon étroite avec les étudiants. Effectivement, il y aura plus de disponibilités pour des rencontres individuelles avec les étudiants qui en ont besoin l'an prochain. Malgré cela, il faut garder en tête que le CDP doit maximiser ses ressources considérant son budget relativement restreint. C'est pourquoi il encourage les étudiants à as-

sister à ses séances d'informations lorsque certains processus les intéressent et à s'inscrire à des listes sur MyFuture afin de recevoir instructions et conseils personnalisés.

We would also like to remind you to check the "documents" section on MyFuture, where interview questionnaires are available as well as a host of other documents that may be of assistance to you in your search for career opportunities.

Next year, the CDO will also be tightening McGill's rela-

tionship with Ottawa employers and will work on encouraging New York employers to conduct on-campus interviews.

Si vous êtes intéressés à prendre nos places et participer au comité consultatif du CDP l'année prochaine, surveillez l'appel de candidatures pour les comités de l'AÉD cet été. C'est une belle façon de pouvoir apporter une perspective étudiante aux membres du CDP afin qu'ils puissent continuer d'améliorer la qualité de leurs services.

Sandra, Éloïse and Carole

Law Senator

**STEPHANIE
BACHELET**

LAW SENATOR EXIT REPORT

The 2012-13 academic year was an exciting one for McGill University and the Senate. As many students are already aware, the most significant issue facing the University this year was the several million dollars in budget cuts imposed by the provincial government over the next two years. Upon learning about the impending cuts the University administration consulted widely over how to address the fiscal shortfall with the McGill community through town hall fora, meetings with students, an email account where suggestions could be sent, and an open discussion in Senate. Indeed, while it was difficult as a student to make constructive suggestions without a complete understanding of the University's finances, the administration was very receptive reassuring that all ideas were real possibilities. At present the University anticipates non-GAAP accumulated deficit will increase by 30 percent to \$120M to absorb the retroactive losses and with 75 percent of the McGill operating budget committed to salaries, difficult negotiations with employees will ensue in the upcoming months.

De plus, après plusieurs périodes de consultation et plusieurs changements, le Sénat a considéré l'Énoncé des valeurs sur la liberté d'expression et de réunion pacifique et a discuté les Procédures concernant les manifestations, les protestations et les occupations sur le campus de l'Université McGill. Tandis que plusieurs sénateurs étaient concernés par la nécessité d'avoir un document qui énonce que ces simples valeurs de base, la majorité a approuvé le document. Le Sénat a aussi discuté les Procédures, mais il n'était pas demandé de les approuver. En outre, le Sénat se pré-

pare aussi à voter sur la ratification de plusieurs modifications au Recueil des droits et obligations de l'Étudiant dans le mois d'avril. Ces changements ont été discutés durant la réunion en mars et il semble qu'ils sont largement supportés.

In light of the discussion on mental health at LSA Council and the decision to include a mental health fund as one of the capital project options, I took the opportunity to ask the McGill administration how it was planning to tackle student mental health on campus in the face of increased demand of these services. Professor Mendelson responded that the University does provide Mental Health and Counseling Services in the Brown Building and acknowledged that usage has increased drastically over recent years. The University has however, increased access through group sessions and workshops and has a mental health work group that is developing programs. The Deputy Provost reassured the students that mental health is a top priority for student services in spite of the aforementioned budget cuts.

Finally, as a member on the Senate Committee on Libraries I brought up the dire need to increase student space in all libraries on campus and particular in Gelber. The Dean of Libraries and other members of the Committee assured me that they are well aware of the problem. Moreover, as we have all seen by the addition of tables on the fourth floor, they are working to remedy the problem. However, next year we will need to continue to push to keep library space a University priority.

**ARAD
MOJTAHEDI &
ALEXANDRA
MACBAIN**

ONE LAST NOTE FROM YOUR 1L PRESIDENTS

Dear 1Ls,

From the moment we were elected up until today, it has been a privilege and an honour to represent such a diverse and accomplished group of students. Whether it was showcasing our financial prowess by getting you samosas on our first week in office, pitting the CEGEP and non-CEGEP students against each other in laser tag, or hosting your Winter Mad Men Party, it has been a fun ride all along. Of course, we tried to put some culture into the mix with our visits to the Marché Jean Talon and the Court of Appeal, and a lecture by the Honourable Judge Dalphond at the faculty. We were also blessed to have an outstanding LSA Executive team who were always easy to work with. For instance, it was a pleasure working with Alexandra Belley to setup the first exam review session with tutors for 1L students.

We would therefore like to take the time to thank the LSA Executive and all of those who got involved within the faculty this year. Merci aux différents président(e)s et vice-président(e)s des comités et des groupes étudiants qui gèrent des crises, qui sacrifient beaucoup pour notre bienfait, qui passent beaucoup de temps à se demander ce qu'ils peuvent faire de plus et ce qu'ils peuvent améliorer.

Merci également aux étudiants de première année qui se sont impliqués dans les groupes étudiants, les comités ou les revues parce que vous défendez des intérêts et des valeurs qui contribuent à l'excellence de notre faculté. Merci d'organiser des conférences ou des galas, de produire des revues de grande qua-

lité, de susciter notre curiosité sur des sujets divers et variés, et de nous permettre de rencontrer des gens qui nous soutiennent et nous inspirent. Merci de vous être impliqué(e)s, de contribuer au rayonnement de la vie facultaire, à tous les niveaux. Merci de nous offrir tant de services et d'activités, de vous consacrer à la vie étudiante.

As 1L Presidents, we tried our best but we still think that there is more that can be done and we encourage future presidents to do more. For future years, we hope that 1L Presidents try to incorporate the Law Faculty within the larger McGill community and organise events with professors who teach in our faculty. We would also recommend an outing after the memo. It is certainly a great feeling to finish our first memo and we all deserve a little time off. We also believe that a program partnering French and English first language speakers would be useful for first year students.

Finally, we are looking forward to hosting you one last time at the end of the year dinner, your Spring Fête, on April 26th 2013. So make sure to get you tickets on Facebook, get to Casa Grecque on Prince Arthur at 7PM, after which (9:30PM) we will go to a bar nearby pour terminer notre soirée en beauté.

We're cool.

You're cool.

Everything is still all right.

Vos présidents de première année,
Alexandra MacBain & Arad Mojtahedi (AM2)

**SANDRA
AIGBINODE &
FRANK
ARSENEAULT**

2L PRESIDENTS REPORT

Hello fellow 2L's,

Our second year at the faculty is already coming to an end. It is amazing how quickly time passes! We would like to thank each and every one of you for your support this year, and for your ongoing contributions to the life of the Faculty.

On a eu toute une année remplie d'activités académiques et sociales. En plus de vous représenter au conseil de l'AÉD, vos présidents de classe ont organisé plusieurs activités pendant l'année

scolaire. La première était une petite soirée karaoké amusante aux 3 Minots. In November, we helped organize a Dare to Dine event for the Stephen Lewis Foundation that raised over 600\$ for the fight against HIV/AIDS in Africa. Over 50 people showed up and the night was a great success. We'd like to give special thanks to Angela and everyone who helped cook those delicious perogies!

Since we couldn't all be together for a Christmas party, we decided to throw a New Year's Eve party in January. What a fun

party! Plus de 80 personnes sont allées chez Sandra et Moira pour célébrer la nouvelle année et la soirée s'est très bien déroulée. There was plenty of free food and drinks for everyone and the place was amazingly decorated. It was certainly one the best parties of the year!

Exams are just around the corner and we know how stressful they can be. Luckily, we're organizing another session of yoga in the moot court on Monday, April 15th! Ce sera une belle occasion de relaxer et s'étirer un peu avant les examens. Nous vous invitons aussi à venir communiquer vos opinions et vos idées à notre dernier Town Hall de l'année. Le temps et le lieu du Town

Hall seront annoncés prochainement.

Congratulations to Evita and Alexander, our new class presidents for the upcoming school year. We are sure that you both will do an excellent job representing us next year. Finally, we wish you all success on your exams, followed by a fun and relaxing summer. Nous avons tous fait un incroyable parcours à la Faculté jusqu'à date, mais le meilleur est encore à venir. Continuons notre beau travail ensemble!

Your 2L Presidents,

Sandra and Frank

3L Presidents

**ERIN
BROWN &
JAIMIE TAX**

A MESSAGE FROM YOUR 3L PRESIDENTS

Hi 3Ls!

It's hard to believe that the year is coming to an end. For that matter, it is hard to believe that our law degrees are coming to an end. We did it (almost)!

We have thoroughly enjoyed acting as your class presidents this year. While we may not have been pushing the events quite like last year, we can assure you that we have been representing you at LSA Council meetings, at course selection meetings, and generally trying to respond to your questions and concerns throughout the year. We have also enjoyed getting you all together. At least we know we can turn to party planning if law doesn't work out.

This Fall we hosted a 3L Gallery Cocktail, which from our perspective was a huge success. We spent the majority of our budget on this event, which saw an overwhelming number of you join together (70+) for drinks and appetizers. We timed the event to fall after Toronto OCIs, knowing that many people needed a morale boost as the weather darkened and the semester moved towards a stressful close. We rented an awesome gallery space, applied for a liquor license, shopped for food and alcohol, and worked on our biceps carting cases of beer around. We ended up bargaining to keep the venue for longer than expected – turns out- just long enough for us to leave our mark of red wine. A huge thanks to all of you that made the night possible – Karine, Graham, Mike, Andrew, Paul, Frank, Molly, Zack, Steph, Alex... (sorry if we missed anyone).

This semester we decided to spend the rest of our budget on subsidizing tickets for "grad" ball. Although not all of us are graduating this year (congrats if you are!), many of us are going on exchange next Fall, and thus are "graduating" from our time at McGill. The tickets sold themselves- over 90 tickets sold in a

short period of time! A huge thanks to the 4L President, Frédérique Lissor, for organizing the event and answering our million texts about tickets.

Well folks, that is all for now. Again- we have really enjoyed representing you, and it has been our pleasure organizing events that bring us all together. Thanks for being an incredible group of people!



GRADUATION MESSAGES !

SA (2L) to ZM: Felicitations Zimbabwe. So proud of you!!! It's time for Africa!!! <3

LP, 3L, to NC, 3L: Dear NC, friend, neighbour, moot partner... I will miss our walks to school, study sessions, potluck lunches and dinners. You are a true blessing to all those who have the honour of having you in their lives! Good luck on your exchange next year and keep a spare mattress or guest room in Vancouver: I will be visiting you post-graduation!

SA (2L) to JO'B: Congratulations super woman! Thank you for all the work on IM this year. <3

LP, 3L, à JE, 2L: Dear Coach, Merci pour ta patience, tes encouragements, ton écoute et ta bonne humeur. Practice those salsa steps and good luck with exams!

SA (2L) to CE (3L): Congratulations to the smartest, coolest, prettiest, and of course "taxiest", new graduate in town!!! Love you <3

LP, 3L, à AK, 3L: Merci pour ta bonne humeur constante, ton sourire et ton optimisme! Bonne chance à Toronto!

anonymous to WB, 3L: Meeting you was wonderful. Getting to know you has been a gift that keeps on giving. Having you in my life makes me believe in a better world. Thank you for your honesty, your loyalty and your friendship. You will achieve great things and the world will be a better place for it.

LP, 3L, à SS, 3L: It is a true blessing to have met you! Thank you for sharing your wisdom and for having such contagious enthusiasm!

LP, 3L, à KA, 3L: Chou-fleur, tu vas me manquer!

anonymous to SN: Dear SN, People you help and who know you don't know how much of a privilege it is to have you in their life! Thank you for being you!

LP, 3L, à RA, 3L: Fabulous law student by day, cider and cheese-maker by night, you are one hostess with the most-ess and super-woman one can only dream of becoming! Thank you for sharing your magic.

anonymous to HL: A good teacher imparts knowledge. A great teacher enables a student to become someone. You have taught us from the heart, instead of from the book. You are a candle in the Faculty, consuming yourself to light the

way for the students.

LP, 3L, à MC, 3L: It is rare to find musical talent, a great love of tax law and barefoot running and cheeky humour such as yours, and yet you exist, mysterious Rex Citatus! Your diligence and love of Ray Dalio have been most inspiring. Stay true to yourself!

NC (3L) to LP (3L): Where do I even begin? Thank you for a wonderful 3 years of great food, study sessions, and nights out. I hope we have many, many more years of friendship and memories ahead.

LP, 3L, à ACG, 3L: Si tu étais rémunérée chaque fois que ton sourire apporte du réconfort, tu n'aurais même pas besoin de travailler et ton mariage serait depuis bien longtemps payé! Merci pour ta douce présence réconfortante et motivante!

NC (3L) to LF, FL, GS (3Ls): My fantastic moot team! Thank you for such a wonderful experience! The late nights, long weekends in the library, and heated practices were all so worth it (in hindsight of course) ;) I couldn't have asked for a better team. It was such a pleasure to be a part of it all with you.

LP, 3L, à MB, 3L: Intrépide cycliste hivernal, collègue bien comique et gentilhomme, merci pour tes blagues bien à propos, ton sens de la répartie et tes sages conseils. Bon courage pour l'école du Barreau!

NC (3L) to VI, ZF, FL, NL (3Ls): You were all such a wonderful team to share such a small office with. Thanks for all the great stories, laughter, and memories. Advocacy forever!

LP, 3L, à EG, 4L: I am so grateful to know you and to have had the pleasure of working with you! Thank you for your continued presence, support and good spirit! I will forever remember your awesomeness. ;)

LP, 3L, à LN, 3L: Entre un thé, une brioche ou un espresso, j'ai eu la chance de découvrir non seulement des magnifiques salons de thé, boulangerie et cafés, mais surtout une magnifique personnalité! Ta générosité, ton altruisme et ton sens de l'écoute feront de toi une avocate hors-pair!

LP to MLJ Vol. 58: I will miss you!!! Best of luck in all your future endeavours!

OVERHEARDS

Prof. Adams: The usual common law reasoning – why use one word when five will do?

Guest Speaker: Some people are quite creative. But the laws of physics, unlike other laws, are quite difficult to circumvent.

1L: Not all female lawyers are masculine. But female partners are masculine. You have to sacrifice shaving your legs.

Prof. Bachand: «People respond to incentives. And when the incentive is money, they respond... en titi.»

Prof. Dedek: ... and if you had read some of the optional readings – [Students Laughter].

SNAIL, to 2L eating in Nahum Gelber Law Library: Hey, you don't have the right to eat in the library!

2L: I live here!

Prof. [REDACTED]: So how do you solve this problem? What do you tell your greedy client while they're sipping Mai Tais in the Cayman Islands - getting fat - while you're working 24

hours a day so that you can save him a few pennies in tax?

1L: Yo, imagine que je rap mon moot!

4L, en tant que juge pour les moots: J'te frappe avec mon marteau de juge!

Lawyer, as judge after 2L moot: We wanted to do "good cop, bad cop", but we ended-up doing "bad cop, bad cop".

3L: Yeah, being a good cop is so boring!

Prof. Fox-Decent: On the facts I'm for the whales, of course.

Prof. [REDACTED]: I recall a case where two highwaymen created a contract to split the profits [of stolen goods]. They were both hung.

3L: Two hours in Gelber is worth more than 2 hours in that class. Time is money! I just came from yoga.

[REDACTED]: En droit de famille la Cour Supreme c'est comme une danse folklorique, les gars d'un côté les filles d'un autre.

This was our last issue of the year.

Merci à tous ceux qui ont soumis
des textes tout au long de l'année.

See you in September !

Aaron Fergie & Jérémy B.-Bonnelly
Co-Editors in Chief

ERRATUM !

Please note that the Faculty Council report published in the Quid Novi on March 26th shows Pascale April as the author of the report, but this is not accurate. It is usually the fruit of a collective effort involving all 5 of the Faculty Council Student Members.

Should students have questions that they want to address to anyone of us, they may do so by e-mail :
pascale.april@mail.mcgill.ca, luca.barone@mail.mcgill.ca, dominic.difruscio@mail.mcgill.ca, marc.roy2@mail.mcgill.ca, john.simpson2@mail.mcgill.ca



It's time...

**to start thinking
about your legal
wardrobe.**

**Actually,
there's nothing
to think about.**

Don't forget to order your
'Call To The Bar' package soon,
for exclusive pricing.

HARCOURT

19 Duncan St.
10 Toronto
416-977-4408
10 Duncan St.
10 Duncan St.
10 Duncan St.

harcourts.co